UNIVERSITY OF MASSACHUSETTS
COMMITTEE/BOARD MINUTES 1991

BOARD OF TRUSTEES

1. February 6, 1991 Harbor Campus, Boston, MA
2. June 5, 1991 Harbor Campus, Boston, MA
3. July 9, 1991 250 Stuart St., Boston
4. August 7, 1991 UMASS Amherst
5. September 5, 1991 UMASS Worcester
6. October 2, 1991 UMASS Worcester
7. December 4, 1991 250 Stuart St., Boston

ACADEMIC AND STUDENT AFFAIRS

1. February 5, 1991 250 Stuart St., Boston
2. April 2, 1991 250 Stuart St., Boston
3. October 2, 1991 UMASS Worcester
4. December 4, 1991 UMASS Boston

ADMINISTRATION & FINANCE

1. October 2, 1991 UMASS Worcester
2. December 4, 1991 UMASS Boston

AFFIRMATIVE ACTION

1. January 8, 1991 250 Stuart St., Boston, MA

BUDGET & FINANCIAL AFFAIRS

1. February 5, 1991 250 Stuart St., Boston, MA
2. April 2, 1991 250 Stuart St., Boston, MA

UNIVERSITY RELATIONS & DEVELOPMENT

1. January 8, 1991 250 Stuart St., Boston, MA
2. April 2, 1991 250 Stuart St., Boston, MA

EXECUTIVE COMMITTEE

1. February 5, 1991 250 Stuart St., Boston, MA
2. February 6, 1991 (reconvened) UMASS Boston
3. April 2, 1991 250 Stuart St., Boston, MA

UNIVERSITY OF MASSACHUSETTS

MINUTES OF THE MEETING OF THE
BOARD OF TRUSTEES

Wednesday, February 6, 1991; 9:00 a.m.
Chancellor's Conference Room
Quinn Administration Building
Harbor Campus
Boston, Massachusetts

Trustees and Trustee Staff: Chair Oakes; Trustees Baker, Bowman, Canina, Carlin, DiCara, Foley, Haynes, Mahoney, McQuilken, O'Leary, Walsh and Zervas; Mrs. Fontaine, Administrative Secretary

Trustees Absent: Trustees Doherty, Huang, Huguenin, McBay, Reed and Teixeira

University Administration: President Duffey; Vice President Lenhardt; General Counsel Searson; Associate Vice President Tribble

UM/Amherst: Provost O'Brien; Vice Chancellors Madson and Page; Professor Kinney, Faculty Representative

UM/Boston: Chancellor Penney; Provost Zompa; Vice Chancellor MacCormack; Professor Tager-Flusberg, Faculty Representative

UM/Worcester: Chancellor Lazare; Deputy Chancellor Van Etten; Dr. Cooke, Faculty Representative

Trustee Oakes, Chair, called the meeting to order at 9:25 a.m. The first item on the agenda was Consideration of the Minutes of the prior meeting of the Board. It was moved, seconded and

VOTED: To approve the minutes of the December 5, 1990 meeting of the Board.

The Board then heard reports from the Chancellors. Chancellor Penney started her report by asking the Trustees to view a video tape of a program for high school students called Project Oceanology. She also announced that in the last year they have raised $400,000 for a new ship to take the students out. She reported that the Committee on Strengthening the Sciences has been meeting, and she is expecting a report in April.

She also reported on a recent campus corporate breakfast where 20 corporations were represented and the Community Breakfast at which time the campus honored Reverend Thomas J. McDonnell, Pastor of St. Augustine's Parish in South Boston.

Provost O'Brien, as part of his report, announced the recent resignations of Dean James John, Dean of the College of Engineering, who will become President of the General Motors Institute in Flint, Michigan and Vice Chancellor Dennis Madson who will be going to Lewis and Clark University in Oregon. It was then moved, seconded and

VOTED: To express its gratitude to Vice Chancellor Madson for his outstanding contributions to Student Affairs on the Amherst campus and wishes him well in his new position.

Provost O'Brien then read a statement about conditions on the Amherst campus. (A copy of the Provost's statement reaffirming the campus mission is attached to the minutes).

Chancellor Lazare then spoke about the budget situation and its affect on the campus. He also spoke on how the war in the Persian Gulf was affecting the campus. Nine people from the Medical Center have been called to active military duty including five physicians, three of whom are surgeons, (one is the Chair of Anesthesiology, and one is the Chair of Obstetrics and Gynecology). The other four are a respiratory therapist, a radiology technologist, a registered nurse and a public safety officer.

He announced that the Worcester campus Area Health Education Center (AHEC) has received a three-year, $620,000 grant from the W.K. Kellogg Foundation to help Massachusetts communities strengthen the delivery of health and human service.

He also spoke of recent issues with Worcester City Hospital. Trustee Carlin voiced the opinion that in this area there is an enormous opportunity for the Medical Center.

The Board then heard reports of Standing Committees. Trustee DiCara gave the report of the Affirmative Action Committee for Trustee Reed which met on January 8th. The Committee reviewed the impact of tuition and fee increases on minority students and will continue to do so. In addition, the Committee reviewed the 1990-1991 Amherst and Worcester campus' Affirmative Action plans and recommends the Board approve them. It was moved, seconded and

VOTED: To approve the 1990-1991 Affirmative Action Plans for the University of Massachusetts at Amherst and the University of Massachusetts at Worcester. (Doc. T91-002)

Trustee Baker reported for the University Relations and Development Committee which met and reviewed Development efforts as well as efforts on Worcester campus to establish a Foundation.

Trustee Zervas, reporting for Trustee McBay, said the Academic and Student Affairs Committee recommended the Board approve the following three items. It was moved, seconded and

VOTED: To concur with the President in the appointment of Dr. Zelda Gamson as Full Professor with tenure in the Graduate College of Education at the University of Massachusetts at Boston. (Doc. T91-022)

And,

VOTED: To concur with the President in the appointment of Robert B. Zurier, M.D. as Professor of Medicine with tenure at the University of Massachusetts at Worcester. (Doc. T91-006)

And further,

VOTED: To approve the January and February, 1991 graduation lists at the University of Massachusetts at Amherst and the June, 1991 graduation lists at the University of Massachusetts at Worcester, subject to the completion of all requirements as certified by the Recorder of the campus. (Doc. T91-001)

She also reported that the Committee discussed several items which will be presented by the Executive Committee and had an extensive discussion concerning the Legal

Services Center. The Committee commends the campus Committee which worked on this document.

Trustee O'Leary gave the report of the Committee on Budget and Financial Affairs. He first reported on the FY1991 Operating Budget, which he said gives an accurate reflection of the campus budgets. He added that the Committee has asked for additional information concerning how the campuses intend to implement forthcoming reductions. He noted that the state appropriations have decreased for the second year in a row and the total decrease from FY90-91 was $50 million or 19% of the overall budget. It was moved, seconded and

VOTED: To approve the FY1991 Operating Budget as contained in Doc. T91-003.

The next item on the agenda was a Change in the Statement of Trust for the Allied Health Trust Fund at the Medical Center. The proposed change would allow for the collection of fees for campus-based non-degree certificate programs. It was moved, seconded and

VOTED: To amend the Allied Health Trust Fund vote as follows:

By striking out the following:

To establish the University of Massachusetts/Worcester Allied Health Trust Fund, which shall have as its purpose the providing of services in non-physician health science programs in collaboration with other institutions of higher learning within the Commonwealth as outlined in Doc. T81-049.

The costs of the operation and maintenance of this self-supporting program shall be recovered from fees charged to users of the program and any other appropriate non-state funding sources;

and inserting in place thereof the following:

To establish the University of Massachusetts/Worcester Allied Health Trust Fund, which shall have as its purpose the providing of services in non-physician health science programs in collaboration with other institutions of higher learning within the Commonwealth and the offering of non-degree certificate programs in the Allied Health professions.

The costs of the operations and maintenance of this self-supporting program shall be recovered from fees charged to collaborative institutions and/or individuals in campus-based Allied Health certificate programs. (Doc. T81-049A)

A Personnel Action at the Worcester campus was then considered. It was moved, seconded and

VOTED: To approve an overscale salary of $65,000 for Virginia Lichlyter as Administrator for Decision Support Services at the University of Massachusetts at Worcester. (Doc. T91-016)

Next considered were Audits. It was moved, seconded and

VOTED: To accept the following Audits:

-WFCR-FM Management Letter (Doc. T90-082, Addendum I)
-University of Massachusetts Medical Center Self-Insurance Trust Management Letter and Financial Statements (Doc. T90-087)
-University of Massachusetts Medical School-Group Practice Plan Management Letter and Financial Statement (Doc. T90-086)
-University of Massachusetts Medical Center Teaching Hospital Trust Fund Management Letter and Financial Statements (Doc. T90-085)
-University of Massachusetts at Amherst, NCAA Compliance Report (Doc. T91-009)
-University of Massachusetts at Amherst Health Services (Student Health and Kaiser Permanente Trust Funds) Financial Statements and Report (Doc. T91-010)
-University of Massachusetts at Amherst, Department of Athletics and Intramurals for the Minuteman Court Club Report (Doc. T91-012)

In concluding his report, Trustee O'Leary said the Committee recommends a vote supporting the Chancellor at the Boston campus in the past practice of not charging parking fees on weekends, which has been part of an effort to encourage community use of the facilities. It was moved, seconded and

VOTED: To support the Chancellor in the Boston campus' past practice of not charging for parking on weekends which assists in maintaining relationships with the Community.

Chair Oakes then gave the report of the Executive Committee which considered the following items. It was moved, seconded and

VOTED: To approve the minutes of the October 25 and November 28, 1990 Hospital Management Board meetings including the June, 1990 audited financial statements and the September and October, 1990 unaudited financial statements and the appointments and reappointments to the Medical Center. (Doc. T91-011)

And,

VOTED: To approve a revision to the Board of Trustees By-Laws (Doc. T81-028C, as amended) by replacing Article III, Section 5, with the following:

"The Executive Committee shall be composed of the Chair of the Board of Trustees, **the Vice Chair of the Board of Trustees, . . .**"

The next item was the Legal Services Center/Litigation Authority at UM/Amherst. The Chair explained that the proposed motion recommended by the Executive Committee represents a compromise. It was the feeling of the Executive Committee that it did not want university employees involved in litigation because of the negative public relations implications and liability issues. The vote recommended authorizes the Legal Services Center employees to retain outside Legal Counsel to represent individual students in litigation proceedings regarding landlord/ tenant and consumer protection matters.

He added that there has been a great deal of effort to come up with a dispute resolution process which would resolve disputes at the lowest level and avoid court/litigation.

Trustee McQuilken then made a motion to table this item until the April meeting, stating that the students would like to do research on whether the proposed structure would work.

Concerns which the Trustees asked to be addressed include the liability that the University might occur, the public relations concern of having employees of the University instituting legal proceedings against merchants and/or landlords. Chair Oakes also volunteered to solicit attorneys in the Connecticut valley to provide this service to students at a reasonable cost.

It was then moved, seconded and

The Chair then stated that the next item on the agenda, Cogeneration Plant, UM/Amherst would be considered in executive session.

The Board then considered changes to the Alcoholic Beverages Policy at the Boston campus. It was moved, seconded and

VOTED: To amend Doc. T91-005, the proposed Alcoholic Beverages Policy for the Boston campus, by:

(1) Amending the title to read "Alcoholic Beverages Policy University of Massachusetts at Boston";

(2) Deleting the Preface;

(3) Deleting from Section 4(a) the parenthetical reference "(Trustee Document, T75-015A)";

(4) Striking from Section 5(a) the word "matter" and inserting in lieu thereof the word "policy";

(5) Striking the period after Section 6(e) and substituting thereof a semicolon; and

(6) Adding after the words "police officers" in Section 7 the following - ",if any,";

(7) Renumbering the amended document as Trustee Document T91-005A.

And further,

To rescind Doc. T75-015A and to approve the Alcoholic Beverages Policy for the University of Massachusetts at Boston as contained in Doc. T91-005A.

Next on the agenda was adoption of the Scientific Misconduct Policy at the Worcester campus. It was moved, seconded and

VOTED: To approve the Scientific Misconduct Policy at the University of Massachusetts at Worcester as contained in Doc. T91-008.

Amendments to the Retrenchment Policy at the Worcester campus were then recommended. Trustee Haynes raised concerns about the vagueness of the language and made a motion to table this item. The motion was not seconded and the following motion was moved, seconded and

VOTED: To amend the Retrenchment Procedures of the University of Massachusetts at Worcester contained in Doc. T83-068 by striking out the paragraph in Section IV. I. 2. and inserting in place thereof the following:

"Classified and professional employees will be released next from affected job classification in accordance with job classification seniority. However, where necessary to maintain the effective functioning of a department, less senior employees may be retained."

Further, to renumber the amended document as Doc. T83-068A.

Trustee Haynes is recorded as opposed.

The Board then considered a change to the Code of Student Conduct at the Boston campus. It was moved, seconded and

VOTED: To revise the Code of Student Conduct at the University of Massachusetts at Boston (Doc. T87-037B) by deleting all references to the "Dean of Students" and substituting in its place the title of "Associate Vice Chancellor for Student Affairs".

Next on the agenda was a reaffirmation of the Housing Allowance for the President and the Chancellors. It was moved, seconded and

VOTED: To reaffirm the housing allowance for the President and the Chancellors as previously approved by the Board on June 1, 1988. (Doc. T87-032B)

Chair Oakes then explained that the next two items dealt with the establishment of a group called Applied Computer Systems Institute of Massachusetts, Inc. (ACSIOM). This corporation, which is not part of the University but has been established by University employees to facilitate technology transfer. He added that the State Ethics Commission has deemed it to be a state agency, which restricts individuals involved in this corporation who are also University employees from receiving compensation from two state agencies. In order to clarify this situation the Board was asked to adopt the following. It was moved, seconded and

VOTED: To append the following paragraphs to the contracts of faculty members of the University upon the approval of the President: The University of Massachusetts recognizes the responsibility of its multi-faceted public mission to assist in moving the results of research to industry as rapidly and effectively as possible. To encourage this outcome while protecting the integrity of the employee's commitment to the University, the following terms of employment, approved by the Board of Trustees, shall be incorporated in those employment contracts of University employees which are approved by the President:

Subject to Massachusetts General Laws Chapter 268A, Section 7, as amended, and in accord with the interpretation of the State Ethics Commission that "multiple contract restrictions of G.L. c. 268A do not apply when an employee's additional services and compensation are an expansion of the employee's primary employment contract" (EC-COI-88-10, June 14, 1988), the employee under this appointment may engage in technology development and transfer activities as an

employee of the University or while working for and on behalf of a University affiliate.

Such employee may receive compensation and benefits from the development, commercialization, marketing, distribution, licensing and support of the work product provided:

1. The employee and his/her department head (or other designated unit) make prior written disclosure of the technology transfer project to the Vice Chancellor for Research, or other University officer designated by the Chancellor of the Boston or Worcester campus as appropriate.

2. The employee and his/her department head (or other designated unit) make written disclosure of and receive written approval for the nature and extent of the employee's planned participation in the activity. Such disclosure will be made to and such approval must be given by the respective designated University officer.

3. Such participation shall not interfere with the employee's primary obligation to the University during the terms of his or her contract of employment. Should such an event occur, the University reserves the right to revoke approval of the employee's participation in the activity.

Further, to direct that the Board of Trustees approve the University's relationship with any University affiliate organization, and that the President on behalf of the University enter into a generic contract with a University affiliate organization, which contract shall include provisions for compensation to the University for inventions, discoveries, research, or other work product developed under the terms of a sponsored agreement entered into by the University or involving University funds, facilities (excluding libraries), equipment, materials or time. (Doc. T91-018)

Further, subject to the Union agreement, to delegate to the President the authority to extend this policy to other employees.

And,

VOTED: To approve the University's relationship with the Applied Computer Systems Institute of Massachusetts, Inc. (ACSIOM).

Prior to going into Executive Session, the Board heard from Professor Arthur Kinney from the Amherst campus. Professor Kinney distributed to the Board a copy of a statement to Chancellor Duffey from the Faculty Senate which urged the President/Chancellor to be a more aggressive spokesperson for the needs of public higher education and urged the Trustees to represent the University interests more visibly in the media and on Beacon Hill.

Chair Oakes suggested that the Faculty Senate shares the responsibility with the Board and administration to be advocates for public higher education in this time of extreme budgetary constraint and shares the responsibility to come up with constructive ways to deal with the reality of what the University is facing. He also indicated that he would be happy to meet with the faculty to have this discussion .

Trustee Haynes then raised a question about whether the Board of Trustees has any control over what happens with capital expenditures and awards by the University

Building Authority. The Chair suggested it would be appropriate to ask Trustees who serve on the Building Authority to review such awards.

Chair Oakes then called for a motion to go into Executive Session to discuss Collective Bargaining. The time was 10:50 a.m. and it was moved, seconded and

VOTED: To enter Executive Session.

Chair Oakes voted for the motion as did Trustees Baker, Bowman, Canina, Carlin, Foley, Haynes, Mahoney McQuilken, O'Leary, Walsh and Zervas.

The meeting adjourned at 11:30 a.m.

Cynthia A. Fontaine
Administrative Secretary to the
Board of Trustees

February 5, 1991

PROVOST REAFFIRMS CAMPUS MISSION

To the Trustees, February 6, 1991

A point of crisis has been reached on the Amherst campus. It is perhaps surprising that, in three years of ferocious budget reductions, we have had no abnormal loss of star faculty or junior faculty, our two most mobile groups. But this year has been particularly severe: we have had to extract 16.8 million dollars from our budget. This extraction, following two years of deep cuts, has involved severe cuts in college support budgets, a continuing partial freeze on support personnel, elimination of all faculty recruitment, and the process of reducing or eliminating 14 academic programs, along with drastic reduction in administrative people and programs.

A consequence is that faculty are questioning our commitment to academic quality; numerous top faculty are actively seeking positions elsewhere; and junior faculty are wondering out loud if this is the place to build their careers. Unless we make our commitment clear, and follow it with actions, we could see an unravelling of a system that has been building in excellence for more than a decade.

In recent reductions we have been particularly diligent

in our attention to teaching concerns. Although a variety of other actions have promoted the research enterprise, such as new buildings or space for research in engineering and polymer science and computer science, there is a need to reaffirm the importance of our scholarship and the key contribution it makes to our teaching.

Specifically we should reiterate that the kind and quality of teaching that we offer is that of a major Research and Teaching University, and if we allow the quality of that faculty to slip we are cheating our students of the quality teaching which must be available in every State of any consequence. That slippage is on the verge of occurring in 1991, and we need to take steps to prevent it.

Our first step is to reaffirm our intention to become one of the leading research and teaching universities in the country. Our competitive advantage in this achievement lies in those of our programs which are in the top national rankings. These key departments need to be sustained well in bad times as well as good. Their existence attracts the finest faculty and students, and the whole campus benefits from their prestige and the quality of their faculty. The greatness of the whole is to an important extent decided by the number of such stellar departments.

Next in importance is the need to increase the number

of such outstanding departments by adding resources to those programs close to a similar achievement. If we are less than enthusiastic in support of these very fine departments then we are missing our best opportunity to develop the breadth of excellence which national distinction demands.

Of course we cannot be outstanding in all of our programs. If there are areas in which we cannot do well, we should consider phasing them out. Whatever we do should be done well.

In making this reaffirmation we do not plan to neglect our teaching responsibilities, but rather to restore a balance which has not been sufficiently clear this last year. We shall continue a serious concern with access to courses and with crowding of courses, although these two problems have greatly diminished as our student body has become smaller. We have not lost our concern for general education or for over-subscribed majors. But we must recognize that our special contribution to undergraduate teaching is to provide an originality and liveliness that flourishes in the context of an excellent research-minded institution.

How do we propose to put actions behind these reaffirmations? First we will seek Trustee support at the April meeting for the principles just outlined. Secondly we

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must take these principles into account in future allocations of vacancies for faculty recruitment. Thirdly we must seek Presidential support in helping us to fight against faculty losses from programs which are of particular importance.

We make this reaffirmation at a time when State budgets have never been lower and when the whole organization of public higher education is in doubt. But it is essential that we go into this uncertain future with a clear sense of what we stand for and what we offer, in the belief that public higher education needs what we can provide.

RDO:jpt

UNIVERSITY OF MASSACHUSETTS

MINUTES OF THE MEETING OF THE
BOARD OF TRUSTEES

Wednesday, June 5, 1991; 12:00 noon
Chancellor's Conference Room
Quinn Administration Building
University of Massachusetts Harbor Campus
Boston, Massachusetts

Trustees and Trustee Staff: Chair Oakes; Trustees Baker, Bowman, Canina, Carlin, DiCara, Doherty, Foley, Haynes, Huang, Huguenin, Mahoney, McBay, McQuilken, O'Leary, Reed, Teixeira, Walsh and Zervas; Mrs. Fontaine, Administrative Secretary

University Administration: President Duffey; Vice President Lenhardt; General Counsel Searson

UM/Amherst: Chancellor O'Brien; Vice Chancellor Vanin; Professor Kinney, Faculty Representative

UM/Boston: Chancellor Penney; Vice MacCormack; Professor Tucker, Faculty Representative

UM/Worcester: Chancellor Lazare; Deputy Chancellor Van Etten; Dr. Cooke, Faculty Representative

Chair Oakes convened the meeting at 12:30 p.m. The first item considered was Consideration of the Minutes of the Previous Meetings of the Board. It was moved, seconded and

VOTED: To approve the minutes of the April 3rd and May 15, 1991 meetings of the Board.

Chair Oakes then briefly commented on the recent graduation ceremonies which he said were very impressive. He then reported on the morning hearing on the Governor's Reorganization Bill held by the joint Committee on Education and the strong statements by the Governor about the need to reallocate funds within the State.

President Duffey then briefly spoke about the Historical Atlas of Massachusetts.

The Board then heard reports from the Chancellors.

The next item on the agenda was the report of the President's Search Committee. Chair Oakes then called on Trustee O'Leary who gave the report. Trustee O'Leary indicated that on March 21st the Board voted to establish a President's Search Committee. Trustees Baker, Carlin, DiCara, Foley, Haynes, Oakes, O'Leary, Reed and Zervas were appointed by the Chair to serve on that Committee. Since that time, over ten meetings were held and the Committee discussed at length a number of candidates for the interim Presidency. In the belief that the balance of the report and the discussion was likely to be about the reputation and character of the candidate that was being recommended, Trustee O'Leary suggested that the Board go into executive session.

At 12:55 p.m., it was moved, seconded and on roll call

VOTED: To go into executive session

Chair Oakes voted for the motion as did Trustees Baker, Bowman, Canina, Carlin, DiCara, Doherty, Foley, Haynes, Huang, Huguenin, Mahoney, McBay, McQuilken, O'Leary, Reed, Teixeira, Walsh, and Zervas. President Duffey and Mrs. Fontaine were present.

At 2:35 p.m, the Board came out of Executive Session. It was then moved, seconded and

VOTED: That the Board of Trustees authorize the Search Committee to offer to E.K. Fretwell, subject to his acceptance and appropriate background checks, the position of President of the University of Massachusetts Ad Interim effective July 1, 1991.

It was then moved, seconded and

VOTED: That the President Ad Interim shall serve at the pleasure of the Board of Trustees for a term of no less than six months and ending upon the appointment of a permanent president but in no event longer than two years, provided, however, that the President Ad Interim shall not be a candidate for the permanent position as President of the University as presently constituted or as may be reorganized. Further, that the President present to the Board of Trustees within ninety days of his appointment a progress report concerning the conditions of and future plans for the University of Massachusetts.

VOTED: That, notwithstanding any policy to the contrary, prior to the next regular meeting of the Board of Trustees, the Chair shall appoint a committee to undertake a national search for the permanent position of President of the University of Massachusetts, provided, however, that such committee include voting representatives from each of the campuses in the university sector and, provided further, that such committee shall commence the search process upon passage of university reorganization legislation or the conclusion of the 1991 legislative session if no such legislation passes.

Chair Oakes then thanked Trustee O'Leary and all members of the Search Committee for the hard work and effort put into this process.

Trustee Doherty then reported for the Athletic Committee about programs being phased out at the Amherst campus and the groundswell of support and contributions for the programs. He asked for a sense of the Board for a one year reprieve if funds could be secured for the variable cost the program.

Trustee DiCara reporting for the Affirmative Action Committee said the committee had met and reviewed the effects of the budget cuts in Affirmative Action. The Committee expressed its concern about the impact on faculty and students.

Trustee Baker reported that the University Relations and Development Committee had received and reviewed a report prepared by Bruce Flessner of Bentz, Whaley and Flessner concerning development efforts at the campuses.

Trustee McBay reported for the Academic and Student Affairs Committee. She reported that the Committee had discussed three items: the proposed Ph.D. in Language, Writing and Culture at UM/Boston, a proposal for a B.S. in Electrical Engineering and Strengthening the Sciences.

The Committee's discussion in that regard was that there be on expansion to a four year program but that the campus come back to the Committee with a plan for taking care of the students now currently enrolled in the existing two year program.

The third item, Strengthening the Sciences was discussed and the work of the Committee was applauded, the process carried out was admirable and the Committee was pleased with the results and the recommendations.

The Committee then recommended the following actions:

VOTED: To approve the May 1991 graduation list at the University of Massachusetts at Amherst, subject to the completion of all requirements as certified by the Recorder of the campus. (Doc. T91-001A)

And,

VOTED: To concur with the President in the award of tenure to the following individuals:d

University of Massachusetts at Amherst:

Stephen Clingman as Associate Professor of English
Peter Fenves as Associate Professor of Comparative Literature
David Glassberg as Associate Professor of History
Shantikumar Nair as Associate Professor of Mechanical Engineering
Rex E. Wallace as Associate Professor of Classics

University of Massachusetts at Boston:

Marlene Fine as Associate Professor of Analysis and Communication
(Doc. T91-050)

And further,

VOTED: To approve the Scholarly Misconduct Policy at the University of Massachusetts at Boston as contained in Document T91-047.

And,

VOTED: To waive the remaining one-half sabbatical leave obligation of Professor Clive Dym, Professor of Civil Engineering at the University of Massachusetts at Amherst. (Doc. T91-051)

Reporting for the Budget and Financial Affairs Committee, Trustee O'Leary recommended the following items:

VOTED: To approve the FY 1992 Major Trust Fund Budgets at the University of Massachusetts at Amherst, Boston, and Worcester as contained in Doc. T91-045.

and,

VOTED: To approve the FY'1992 Budget of the University of Massachusetts Hospital as contained in Doc. T91-045.

And further,

VOTED: To revise the Statement of Trust for the Research Support Services Trust Fund at the University of Massachusetts at Amherst by deleting "The Research Council Services Trust Fund was established as a self-generating operational fund which recovers the cost of materials used per services." (Doc. T76-085A)

And,

VOTED: To approve the revised Investment Guidelines for the Malpractice and General Liability Insurance Trust as contained in Doc. T89-014C.

And further,

VOTED: To authorize an allocation to the University of Massachusetts Medical Center Foundation of up to $330,000 per year for FY'92, FY'93 and FY'94 from Worcester campus-based trust fund interest for the purpose of funding start-up operations. (Doc. T91-040)

And,

VOTED: To continue the moratorium on all multi-year contracts for non-unit professional staff until June 30, 1992.

And further,

VOTED: To approve a salary of $66,000.00 for Gerard S. Gomez as Director of Affirmative Action. (Doc. T91-054)

And,

VOTED: To approve a salary of $74,000 for Dr. Christine Kibel as Interim Dean of the Faculty of Sciences. (Doc. T91-059)

And further,

VOTED: To accept the bequest under the Last Will and Testament of Ralph E. Stratton, in the amount of $64,813.59, to establish the Ralph E. Stratton Scholarship Awards as an endowment fund for students of the Stockbridge School of Agriculture, Amherst, Massachusetts, pursuant to the following terms: the principal is "...to be invested by the Trustees, who are to grant each year, four (4) cash awards of equal value from the net income, which awards are to be known as the RALPH E. STRATTON SCHOLARSHIP AWARDS. These awards are to be available to students enrolled at the said school. The basis for making the awards shall be the preparation of a paper entitled, "Why I am Happy to be an American." The best ten (10) of such papers, to be selected by the school, shall be read at a meeting composed of members of the general public including students at the school which meeting shall have been previously advertised. The decision as to whom is to receive such awards shall be made by a majority vote of the audience and shall be selected from the papers so read. (Doc. T73-095A)

And,

VOTED: To authorize the President to approve and adopt the policies and procedures governing the allocation and expenditure of state and non-state funds by the University from July 1, 1991 until such time as the Board adopts the Operating Budget for FY'1992.

And further,

VOTED: To accept the following audit:

University Response to Recommendations contained in Reports of Independent Accountants, Department of Athletics and Intramurals, UM/Amherst (Doc. T91-009, Addendum 1)

Refinancing of University bonds was then discussed. Having received a satisfactory response from the Building Authority to questions raised at the Committee meeting and by Vice President Lenhardt, the Board then moved, seconded and voted

WHEREAS University of Massachusetts Building Authority (the Authority) is authorized by Chapter 773 of the Acts of 1960, as amended, among other things, to issue bonds for the purpose of refunding all or a portion of outstanding bonds previously issued by the Authority; and

WHEREAS in the judgment of the Trustees of the University of Massachusetts (the Trustees) it is in the best interests of the University of Massachusetts (the University) that the Authority issue bonds for the purpose of refunding certain of its previously issued and outstanding bonds as described below;

NOW, THEREFORE, BE IT RESOLVED THAT

1. The issuance by the Authority of bonds for the purpose of refunding its Project and Refunding Revenue Bonds, Series 1984-A (the "1984-A Bonds") scheduled to mature on May 1, 1997, May 1, 1998, and May 1, 2004, and any other 1984-A Bonds as may be determined by the Authority, is hereby approved, and the President, Vice President and Treasurer of the University, each acting alone, and the designee of any of the foregoing, acting alone, be and hereby are authorized in the name and on behalf of the Trustees to approve in writing the issuance by the Authority of bonds for such purpose; and

2. Said President, Vice President and Treasurer each acting alone, and all other officers of the University, each acting alone, be and hereby are authorized and directed to do all other things and take such other action as the officer or officers so acting shall, as conclusively evidenced by the taking of the action hereby authorized, deem necessary or desirable to be done or taken to carry into effect the matters hereby authorized.

Chair Oakes then gave the report of the **Executive Committee**. The Hospital Management Board minutes were considered. Without discussion, it was moved, seconded and

VOTED: To approve the minutes of the February 27, 1991 Hospital Management Board meeting. (Doc. T91-049)

The next item was to consider the Code of Student Conduct at the Amherst. Trustee McQuilken raised his concern about proper notice being given. He proposed an amendment to insert on page 6, Section D, (the second sentence after hearings). "Proper notice shall include a signed acknowledgement of receipt by the charged student, or a witnessed refusal to sign." It was moved, seconded and voted. Trustees McBay and O'Leary voted against the amendment.

He also raised a concern about page 1, section 1 and expressed his opinion that this was a violation of due process. Trustee McQuilken proposed that "serious action" be deleted. The motion was seconded and defeated.

It was then moved, seconded and

VOTED: To approve the Code of Student Conduct at the University of Massachusetts at Amherst as contained in Document T86-030C, as amended by inserting on page 6, Section D, (the second sentence after hearings). "Proper notice shall include a signed acknowledgement of receipt by the charged student, or a witnessed refusal to sign."

It was then moved, seconded and

VOTED: To create the position of Dean of the Faculty of Sciences at the University of Massachusetts at Boston and to concur with the President in the appointment by the Chancellor of Dr. Christine Kibel as Interim Dean of the Faculty of Sciences. (Doc.T91-059)

And,

VOTED: To appoint Richard D. O'Brien as Chancellor (Interim) of the University of Massachusetts at Amherst, who shall serve at the pleasure of the Board of Trustees, for a term not to exceed two years effective June 30, 1991. Dr. O'Brien's salary will remain the same as his current salary as Provost and Executive Vice Chancellor ($123,500). This appointment will carry the fringe benefit package set forth in the Executive Compensation Policy (Doc. T87-032B), including a housing allowance, since Dr. O'Brien will not be residing in the Chancellor's house during his appointment. The Chairman of the Board of Trustees is authorized to convey these terms to Dr. O'Brien in a letter of appointment and to clarify in said letter arrangements for Dr. O'Brien's return to his faculty position at the conclusion of his service as Chancellor, consistent with Doc. T78-070B.

And further,

VOTED: To appoint Dr. Aaron Lazare as Chancellor of the University of Massachusetts at Worcester and Dean of the Medical School effective June 30, 1991, who shall serve at the pleasure of the Board of Trustees. Dr. Lazare's salary shall be $187,000 per annum with an annual annuity of $30,000 to be paid from campus trust accounts together with an annual housing allowance. Further, that the salary and housing allowance be retroactive to September 1, 1990, less any other annuity paid since that date. The Chairman of the Board of Trustees is authorized to convey these terms to Dr. Lazare in a letter of appointment and to clarify in said letter arrangements for Dr. Lazare's return to his faculty position at the conclusion of his service as Chancellor, consistent with Doc. T78-070B.

And,

VOTED: To amend the Rules and Regulations relative to the Operation and Governance of the University of Massachusetts Medical School Group Practice (Doc. T81-024B) by striking out the second and third sentences in Section 13 (a) (2) and inserting in place thereof the following:

Maximum levels for total annual compensation shall not exceed the maximum allowable annual base salary established for that rank plus three (3) times the maximum state management salary schedule. The Dean of the Medical School shall be authorized to exceed the stated maximum for no more than five (5) percent of the full-time group practice faculty; provided, however, that in such case the maximum shall not exceed the annual base salary established for that rank plus five (5) times the maximum state management salary schedule.

And further,

VOTED: To approve the Governance Document for the Graduate School of Nursing as contained in Doc. T91-028.

And,

VOTED: To amend Doc. T84-036 to include:

President

The Board of Trustees shall conduct an evaluation of the President of the University twenty-four to thirty-six months following initial appointment and every five years thereafter or as otherwise deemed necessary by the Board.

Chancellors

The Board of Trustees shall instruct the President to conduct a review of the campus chancellors twenty-four to thirty-six months following initial appointment and every five years thereafter or as otherwise deemed necessary by the Board.

Vice Presidents

The President shall conduct an evaluation of the Vice Presidents at least every five years, or as he or she deems necessary, or as so directed by the Board of Trustees.

Vice Chancellors, Provosts, Deans/Directors

The campus Chancellor shall be responsible for an evaluation of the Vice Chancellors, Provosts, and Deans/Directors at least every five years, or as he or she deems necessary, or as so directed by the President and/or the Board of Trustees.

And further,

VOTED: To reaffirm the delegations of authority to the Treasurer set forth in Doc. T78-126, viz:

1. Custody of investment of endowment funds.
2. Investment of short-term cash "float".
3. Acquisition of and sale of real property on behalf of the University.
4. Financial relationship with the University of Massachusetts Building Authority.
5. Official signatory for University checks.
6. University banking relationships including control of opening and closing bank accounts.
7. Fire, casualty and liability insurance.
8. Contract and grant signatory.

To reaffirm the Board vote of October 13, 1981:

To affirm that the Treasurer of the University of Massachusetts or his designee, shall be the sole contracting

officer of the University with the authority to execute all contracts, grants, restricted gifts (excluding endowments), and amendments thereto for sponsored programs in instruction, research, or public service, unless and until otherwise voted by the Board of Trustees.

To reaffirm the Board vote of May 2, 1979

To authorize and empower the Treasurer of the University to purchase, sell, assign and transfer any and all securities owned and held by the University of Massachusetts in any capacity, and to execute any assignment or other instrument affixing thereto the seal of the University of Massachusetts, as may be necessary, proper or convenient to accomplish any such purchase, sale, assignment or transfer.

And,

VOTED: To recommend that the Board extend the University of Massachusetts at Amherst Professional Non-Academic Staff Reduction in Force Policy through FY'1992 for non-unit staff. (Doc. T89-076)

and,

VOTED: To recommend that the Board extend the University of Massachusetts at Boston Professional Non-Academic Staff Reduction in Force Policy through FY'1992 for non-unit staff. (Doc. T90-039)

and further,

VOTED: That the Board of Trustees hereby resolves that, if the President of the University determines that retrenchment for financial reasons may be necessary in Fiscal Year 1992, the President is hereby directed to fulfill any and all obligations relative thereto arising under collective bargaining agreements or undertake such actions and make determinations as he or she shall deem necessary for the operation of the University.

And further,

VOTED: Furthermore, in light of the anticipated or actual unavailability of funds necessary to maintain the current level of staff and services in Fiscal Year 1992, to authorize the President of the University to undertake such actions, grant such delegations of authority, and make such determinations as he or she shall deem necessary for the operation of the University. To approve the Collective Bargaining agreement between SEIU (Local 509) and the University of Massachusetts on behalf of the Board of Regents contained in Doc. T91-055; further, to authorize the President's action to sign said agreement on behalf of the Trustees.

And,

VOTED: To append the following paragraphs to the contracts of SEIU (Local 509) bargaining unit members of the University upon the approval of the President: The University of Massachusetts recognizes the responsibility of its multi-faceted public mission to assist in moving

the results of research to industry as rapidly and effectively as possible. To encourage this outcome while protecting the integrity of the employee's commitment to the University, the following terms of employment, approved by the Board of Trustees, shall be incorporated in those employment contracts of University employees which are approved by the President:

Subject to Massachusetts General Laws Chapter 268A, Section 7, as amended, and in accord with the interpretation of the State Ethics Commission that "multiple contract restrictions of G.L. c. 268A do not apply when an employee's additional services and compensation are an expansion of the employee's primary employment contract" (EC-COI-88-10, June 14, 1988), the employee under this appointment may engage in technology development and transfer activities as an employee of the University or while working for and on behalf of a University affiliate.

Such employee may receive compensation and benefits from the development, commercialization, marketing, distribution, licensing and support of the work product provided:

1. The employee and his/her department head (or other designated unit) make prior written disclosure of the technology transfer project to the Vice Chancellor for Research, or other University officer designated by the Chancellor of the Boston or Worcester campus as appropriate.

2. The employee and his/her department head (or other designated unit) make written disclosure of and receive written approval for the nature and extent of the employee's planned participation in the activity. Such disclosure will be made to and such approval must be given by the respective designated University officer.

3. Such participation shall not interfere with the employee's primary obligation to the University during the terms of his or her contract of employment. Should such an event occur, the University reserves the right to revoke approval of the employee's participation in the activity.

Further, to direct that the Board of Trustees approve the University's relationship with any University affiliate organization, and that the President on behalf of the University enter into a generic contract with a University affiliate organization, which contract shall include provisions for compensation to the University for inventions, discoveries, research, or other work product developed under the terms of a sponsored agreement entered into by the University or involving University funds, facilities (excluding libraries), equipment, materials or time. (Doc. T91-018)

And,

VOTED: That the Chancellors on all three campuses bring to the next meeting of the Committee on Academic and Student Affairs specific and unambiguous regulations regarding the manner in which the Student Trustee elections are to be conducted.

and further,

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VOTED: To ask the Chancellors to review and report back to the Committee on Academic and Student Affairs on the most recent Student Trustee Elections.

Chair Oakes then thanked Trustees Canina and McQuilken for their contributions throughout the year as members of the Board and made presentations to each on behalf of the Board.

This being the last meeting which President Duffey would attend, the Board also thanked him and moved, seconded and voted the following resolution:

Whereas, Joseph D. Duffey, who has served as Chancellor of the Amherst campus since 1982, and as President and Chancellor since 1990, will be leaving the University on July 1st to become President of The American University;

Whereas, President Duffey has been a leading national proponent for public higher education and has carried the University's message to various forums throughout the United States;

Whereas, he has been an educational statesman of the highest order;

Whereas, during his tenure as Chancellor, the Amherst campus grew and prospered in its reputation and quality of faculty and staff recruited;

Whereas, he has guided the entire University during the difficult times that existed during his presidency, and;

Whereas, it has been an honor to have served with him and we hope he will continue to provide us with his wise counsel and friendship for many years to come.

Be it Resolved, that the Board of Trustees of the University of Massachusetts, in a meeting assembled this fifth day of June, 1991 does hereby express its profound and lasting gratitude to Joseph D. Duffey, and;

Be it further resolved, that the Board of Trustees confers upon him the title of President and Chancellor Emeritus thereby signifying in perpetuity the highest degree of individual and collective esteem.

The meeting adjourned at 3:25 p.m.

Cynthia A. Fontaine
Administrative Secretary
to the Board of Trustees

UNIVERSITY OF MASSACHUSETTS

MINUTES OF THE SPECIAL MEETING OF THE
BOARD OF TRUSTEES

Tuesday, July 9, 1991; 10:00 a.m.
Trustees' Lounge
250 Stuart Street
Boston, Massachusetts

Trustees and Trustee Staff: Chair Oakes; Trustees Baker, Bowman, Carlin, DiCara, Doherty, Foley, Haynes, Huguenin, Mahoney, McBay, Newnan, O'Leary, Reed, Taylor, Teixeira, Vittimberga and Zervas; Mrs. DeVico, Staff Assistant

University Administration: President Fretwell; Vice President Lenhardt, General Counsel Searson

UM/Amherst: Chancellor O'Brien; Vice Chancellor Page

UM/Boston: Chancellor Penney; Provost Zompa, Vice Chancellor MacCormack, Ms. Heevy, Speaker, Student Senate

UM/Worcester: Chancellor Lazare; Dr. Cooke, Faculty Representative

The meeting convened at 10:17 a.m. The first order of business was the introduction of new Trustees: Mr. Kevin Newnan, newly elected student Trustee from the Amherst campus; Mr. Frank Vittimberga, student Trustee from Worcester and Mr. Daniel Taylor, formerly a member of the Board of Regents.

Chair Oakes then updated the Board on a series of events that had taken place since the last Board meeting. The Attorney General's office had written Chair Oakes a letter listing violations of the open meeting law pertaining to the selection of an interim president at the June meeting. Those violations included failure to notify the candidates of a discussion of their character and reputation while in Executive Session. Another violation was taking a vote in Executive Session on a candidate which should have been done in open session. Chair Oakes pointed out that these violations were not recognized as such at the time and explained that the Attorney General has asked that certain votes taken on June 5th, pertaining to the interim position be rescinded and revoted today in open session.

He also added that the reorganization bill merging the University of Lowell and Southeastern Massachusetts University with the University of Massachusetts was passed by the Legislature yesterday and awaiting the Governor's signature.

Chair Oakes then called on Trustee DiCara to make the first motion:

MOVED: To rescind the votes of the Board of Trustees taken on June 5, 1991 regarding the President Ad Interim and to ratify the agreement signed by the Chair on behalf of the Board of Trustees and Dr. E. K. Fretwell confirming Dr. Fretwell as President Ad Interim of the University of Massachusetts effective July 1, 1991.

The motion was seconded.

Asking if there was any discussion, Trustee Mahoney asked to substitute the name of David Bartley for E.K. Fretwell. The motion was made. Trustee Mahoney then read the following motion:

RESOLVED: By the unanimous vote by its Board of Directors that the Alumni Association of the University of Massachusetts at Amherst, respectfully asks that the Board of Trustees take the opportunity presented by the rescinded vote to fully reconsider its previous position of the presidency of the University of Massachusetts. We ask that the Board vote to appoint David Bartley to the Presidency. We support Mr. Bartley for the following reasons: he comes from a modest background, in Holyoke, representing the high aspirations of many University graduates, students and future students. He has dedicated his life to public service. He rose, with a strong, continuing education from the University of Massachusetts, to positions of political and administrative leadership in the Commonwealth. He has proven himself an able administrator in higher education in his leadership of Holyoke Community College in the past sixteen years. He is uniquely positioned to have an immediate impact on the political and financial and educational crisis facing the Commonwealth and the University.

He added that this motion had been signed by Jack Leader, President of the Amherst Alumni Association. The motion was seconded.

Chair Oakes explained that the motion voted on would be to substitute Trustee Mahoney's motion for the original motion. He then passed out copies of the Attorney General's letter for the Board to read. Trustee Doherty asked about the Executive Session minutes cited in the letter and Chair Oakes said they would be distributed to anyone wishing to read them. It was then moved, seconded and

VOTED: To rescind the votes of the Board of Trustees taken on June 5, 1991 regarding the President Ad Interim.

Trustee O'Leary asked to go on record as Chair of the President's Search Committee, as being under the impression both candidates were well aware of any discussion concerning their character and reputation at the June 4th meeting and that neither candidate expressed any desire to be present. There was discussion on whether all three votes had to be rescinded at one time. Chair Oakes said the votes would be rescinded in order. He also explained that Trustee Mahoney's motion had been moved and seconded as well.

There was then a request from Trustee Bowman on what a yes and no vote would indicate. Chair Oakes explained that a yes vote would mean the Board wants to consider the motion Trustee Mahoney had offered. A no vote means the Board will not consider the motion and the Board will go back to Trustee DiCara's motion.

Trustee Mahoney's vote came to the floor and on a 9-9 vote, the Chair declared it defeated. It was then

VOTED: To ratify the agreement signed by the Chair on behalf of the Board of Trustees and Dr. E. K. Fretwell confirming Dr. Fretwell as President Ad Interim of the University of Massachusetts effective July 1, 1991.

It was then moved, seconded and

VOTED: To rescind the votes of the Board of Trustees taken on June 5, 1991 regarding the term of the President Ad Interim. Further, that the President Ad Interim shall serve at the pleasure of the Board of Trustees for a term of no less than six months and ending upon the appointment of a permanent president but in no event longer than two years, provided, however, that the President Ad Interim shall not be a candidate for the permanent position as President of the University as presently constituted or as may be reorganized. Further, that the President present to the Board of Trustees within ninety days of his appointment a progress report concerning the conditions of and future plans for the University of Massachusetts.

Chair Oakes then explained that the next vote reflects the changes the Reorganization Bill will bring; because there will soon be a new Board, the Search Committee for a permanent president will be appointed at that time. It was moved, seconded and

VOTED: To rescind the votes of the Board of Trustees taken on June 5, 1991 regarding the national search committee. Further, to recommend to the new Board of Trustees that a committee be appointed to conduct a nation-wide search for the appointment of a permanent President.

Dr. Fretwell was then introduced to the Board and informed them that the Reorganization Bill would be signed by the Governor this Thursday, July 11th.

Budget Reduction Plans was the next item discussed. Chancellor O'Brien discussed the estimated shortfall for FY92 of $20 million at the Amherst campus. He recommended the shortfall be divided between increased fees and program cuts. Included in his proposed plan was a 9% cut from the "administration" amounting to $5 million dollars and a $5 million cut from Schools and Colleges amounting to another $5 million dollars.

There was then discussion on such issues as 1) why there isn't a policy on how much students should have to pay to attend UMass; 2) why were the students always to carry the burden of the budget shortfall; 3) a need for a study on how some programs can be combined; and 4) why haven't faculty members been laid off due to the fact that enrollments are down.

Trustee Newnan spoke of his support for the fee increases to avoid severe program reductions at the Amherst campus. Deans Byron, Helgeson and Jackson offered their views on the budget reduction plans and the devastation their colleges/schools were experiencing including the closing of the Waltham Field Station.

Chancellor Penney then spoke to her plans regarding budget reduction, and the recommendations made by the Academic Planning and Fiscal Policy Council, which worked throughout the year on ways to down-size UMass-Boston while maintaining the quality of education. She outlined the Council's proposal which included an increase in the Curriculum Support Fee. First, to reduce central administration by $2.7 million. She had notified the unions of a reduction in force representing classified and professional staff. Second, reductions in collegial administration involving 20 classified and professional staff in the administrative areas of each of the five colleges, the Centers and the Institutes. Third, academic program reductions for a net savings of $634,000.

The fourth step recommended by the Council was to close the downtown campus, which she did not support, because preparations to close the building should have been started months ago to avoid disruption of classes and programs. Also, bids would have to be made to move the college to the Harbor and renovations started.

The final step, the raising of fees, came as a last resort. A further reduction in faculty would mean students could not be properly served. She pointed out that the Governor's budget had no appropriation for the William Joiner Center, a Center that was vital to veterans. However, the Conference Committee had recommended funding for $319,375 so a small number of lay-off notices will be rescinded.

Chair Oakes then called on Ms. Karen Heevy, the elected speaker of the Student Senate at UM/Boston. She spoke of the impact these fee increases would have on many students and that many students would not be returning. She stressed the need for the Board to support the urban mission of the Boston campus and urged the Trustees to reconsider these fee increases.

Trustee McBay asked Chancellor O'Brien about monies set aside for unmet need and how many students would be affected by the increases in unmet need. Chancellor O'Brien assured the Board that there would be no student with unmet need who is now getting financial aid on the Amherst campus.

It was then moved, seconded and

VOTED: To establish for FY1992 Curriculum Support Fees of $900 per semester for full-time undergraduate students and of $785 per semester for full-time graduate students at the Amherst campus (with pro rata fees for other students), and at the Boston campus Curriculum Support Fees of $800 per semester for full-time students, $250 for students with 4 to 7 credits, and $110 for students with 1 to 3 credits. Further, to approve the statements of trust and revised budgets, all as contained in Doc. T91-062 and Doc. T91-045, Addendum 1.

Trustees Baker, Carlin and Foley voted against the motion. Trustee Haynes was recorded as present.

It was further

VOTED: To establish Student Health Fees for FY1992 in the amount of $370.50 for students at the Amherst campus, and at the Boston campus in the amount of $47 per semester for students with 7 or more credits, $25 per semester for students with 1 to 6 credits, and $20 per semester for students attending summer school. Further, to approve the statements of trust and revised budgets, all as contained in Doc. T91-062 and Doc. T91-045, Addendum 1.

Trustees Baker, Carlin and Foley against the motion. Trustee Haynes was recorded as present.

The next agenda item, Inter-Trust Fund Loan at the University of Massachusetts at Amherst, was tabled until August after discussion by the Committee on Budget and Financial Affairs.

The next vote, Retrenchment Delegations to the President, was changed to include the Boston and Worcester campuses. It was moved, seconded and

VOTED: To delegate to the President the authority to determine the need for potential retrenchment of faculty at the Amherst, Boston and Worcester campuses in FY1993 in accordance with the faculty collective bargaining contract as he deems prudent, and to take such other action with respect thereto as he deems appropriate.

The next item, Trust Fund Interest Allocations for FY92 was tabled until the August Budget and Financial Affairs Committee meeting.

The Board then reaffirmed the Tuition Charges as approved by the Board of Regents. It was moved, seconded and

VOTED: To approve the tuition charges for the 1991-1992 academic year as set forth below:

A. Resident Tuition Per Year

	Amherst	Boston	Worcester
Undergraduate	$2,052	$2,052	N/A
Graduate	$2,568	$2,568	$8,460

B. Non-Resident Tuition Per Year

Undergraduate	$7,920	$7,920	N/A
Graduate	$7,920	$7,920	N/A

Trustees Carlin and O'Leary voted against the motion. Trustee Haynes was recorded as present.

Authorization for Furlough Savings Payments was also deferred until the August meeting because of further discussions with the State Comptroller's office.

Dr. Fretwell then informed the Board of his intention to visit the University of Lowell and SMU in the very near future.

Trustee McBay stated to the Board and the campuses that basic research funds at the national level have been increasing substantially over the last several years and urged faculty members to take advantage of them.

There being no further business, the meeting adjourned at 12:30 p.m.

Barbara DeVico
Staff Assistant

2/1 Full Board

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MINUTES OF THE MEETING OF THE
BOARD OF TRUSTEES

Wednesday, August 7, 1991; 9:00 a.m.
Cape Cod Lounge
Student Union Building
University of Massachusetts
Amherst, Massachusetts

Trustees and Trustee Staff: Chair Oakes; Trustees Baker, Bowman, DiCara, Doherty, Foley, Huguenin, Mahoney, Newnan, Taylor, Vittimberga and Zervas; Mrs. Fontaine, Administrative Secretary

Trustees Absent: Trustees Carlin, Haynes, McBay, O'Leary, Reed and Teixeira

University Administration: President Fretwell; Vice President Lenhardt; General Counsel Searson

UM/Amherst: Chancellor O'Brien; Provost Gordon; Professor Price, Faculty Representative

UM/Boston: Chancellor Penney; Provost Safwat; Professor Tucker, Faculty Representative

UM/Worcester: Chancellor Lazare; Dr. Cooke/ Faculty Representative

Trustee Oakes, Chair, called the meeting to order at 9:10 a.m. The first item on the agenda was Consideration of the Minutes of Prior Meetings of the Board. It was moved, seconded and

VOTED: To approve the minutes of the June 5 and July 9, 1991 meetings of the Board.

Reporting at his first Board meeting, President Fretwell spoke briefly about his visits to the campuses, and conversations with the Governor and Legislative Leaders. In concluding his report, he said he was impressed by the quality of the people he has had the pleasure of working with who are working hard under difficult circumstances because of the budget.

The Chancellors then reported on activities and grants awarded at the campuses.

Trustee Baker gave the report of the University Relations and Development Committee. She updated the Board on activities efforts relative to the three year development effort funded with seed money by the Trustees. She said that the Committee had approved in principal budgets for the campuses in the following amounts: $216,657.98 at Amherst, $231,116.00 at Boston and $179,763.00 at Worcester. She added that based on an agreement with the President and Chancellors,development for FY'92 would be funded by the campus with funds allocated from Trust Fund Interest.

Reporting for Trustee Reed, President Fretwell said the Affirmative Action Committee had met yesterday and was attended by all Chancellors and the Affirmative Action Directors. The agenda and discussion focused on the impact of budget cuts on affirmative action, recruitment strategies, retention or special initiatives by campus related to affirmative action, and research by the Boston campus on "College Choice and UM/Boston." Also presented for discussion was the 1991-1992 Amherst campus Affirmative Action Plan.

Trustee Baker then gave the report of the Academic and Student Affairs Committee and recommended the following items:

VOTED: To approve the Masters Degree in Medical Sciences from the University of Massachusetts at Worcester to Ms. Linda Casey. (Doc. T91-001B)

and,

VOTED: To approve the following name changes at the University of Massachusetts at Amherst:

- Division of Home Economics to Department of Consumer Studies
- Department of Biochemistry to the Department of Biochemistry and Molecular Biology (Doc. T91-070)

Informational items brought to the committee's attention included a proposal for a minor in Computer and Information Sciences (COINS) at the Amherst campus, the appointment of Deans at the Amherst campus, and a report on the policies and procedures for the election of student trustees. She added that it was agreed that each campus would provide to legal counsel not later than the end of December an outline of the procedures for student elections.

Trustee Baker then presented the recommendation for the award of tenure at the Amherst campus. It was moved, seconded and

VOTED: To concur with the President in the award of tenure to the following individuals:

University of Massachusetts at Amherst

Paula Baker as Associate Professor of History
Hannah Kliger as Associate Professor of Communications
Israel Doren as Professor of Electrical and Computer Engineering
Daniel A. Lass as Associate Professor of Resource Economics
Alan Lutenegger as Associate Professor of Civil Engineering
Sandra L. Morgen as Associate Professor of Women's Studies
Patricia Wadsworth as Associate Professor of Zoology
William Wooldridge as Associate Professor of Management
(Doc. T91-065)

There was then discussion of the recommendation for the Award of Tenure to Elba Caraballo as Assistant Professor in Gerontology at the Boston Campus. Trustee Baker reported that at the lower level their were split recommendations, but positive recommendations from the Dean, Provost, Chancellor and President. She reported that after many hours of discussion, the Committee was recommending a denial of tenure. Chancellor Penney, Provost Zompa and Dean Bass spoke to the case. After a lengthy discussion about the Committee's thought and what led them to their discussion, it was moved, seconded and

VOTED: To concur with the President in the award of tenure to Elba Caraballo-Ireland as Assistant Professor of Gerontology at the University of Massachusetts at Boston. (Doc. T91-065)

Trustees Baker, Huguenin and Zervas voted against the motion.

Chair Oakes then gave the report of the Budget and Financial Affairs Committee. The first item on the agenda was the Building Authority Refinancing. Mr. John Buckley presented additional information about the savings of almost $2 million dollars, the debt service and the fees. The interest rate received was 7.15% with length of issue being 2004. After a brief discussion and request for the listing of fees, it was moved, seconded and

RESOLVED: That the making of a Contract for Financial Assistance, Management and Services 1984-A Projects and 1991-A Bonds between The Commonwealth of Massachusetts, acting by and through the Trustees (the "Trustees") of the University of Massachusetts (the "University"), and University of Massachusetts Building Authority (the "Authority") pursuant to chapter 773 of the Acts of 1960, as amended, and pertaining to the issuance of bonds by the Authority for the purpose of refunding certain of the Authority's $59,755,000 Project and Refunding Revenue Bonds, Series 1984-A, which refunding issue was approved by the Trustees on June 5, 1991, be and the same hereby is authorized; that the Trustees or a majority thereof be and hereby are authorized, in the name and on behalf of The Commonwealth of Massachusetts, to sign, seal with the common seal of said University and of the Trustees, acknowledge if deemed advisable, and deliver a Contract for Financial Assistance, Management and Services 1984-A Projects and 1991-A Bonds in the form presented to this meeting (subject to such minor changes, insertions and omissions as may be approved by the Trustees or a majority thereof and the Chairman or Vice Chairman of the Authority) and providing for the issuance by the Authority of bonds in the maximum principal amount of $48,885,000; that the form of such Contract for Financial Assistance, Management and Services 1984-A Projects and 1991-A Bonds presented to this meeting and each term, condition and provision therein contained be and the same hereby are approved, subject to such minor changes, insertions and omissions as may be approved by the Trustees or a majority thereof and the Chairman or Vice Chairman of the Authority; and that the execution of such Contract for Financial Assistance, Management and Services 1984-A Projects and 1991-A Bonds by the Trustees or a majority thereof shall be conclusive evidence (a) of the approval by the Trustees of any such minor changes, insertions or omissions and the authorization of the same and (b) that the form of Contract for Financial Assistance, Management, and Services 1984-A Projects and 1991-A Bonds so executed (with approved changes, insertions and omissions, if any) is as hereby authorized and approved.

and,

RESOLVED: That the Chairman, Vice Chairman and Administrative Secretary to the Board of Trustees (the "Trustees") of the University of Massachusetts be and each such officer acting alone hereby is authorized, in the name and on behalf of The Commonwealth of Massachusetts, to sign by manual or facsimile signature the form of guaranty provided in the Contract for Financial Assistance, Management and Services 1984-A Projects and 1991-A Bonds between said Commonwealth and University of Massachusetts Building Authority dated as of August 1, 1991 on each bond issued by said Authority constituting a bond of the series identified as Refunding Revenue Bonds, Series 1991-A; in case any officer of the Trustees whose signature or facsimile signature shall appear on any such bond shall cease to be such officer before the delivery thereof, such signature or facsimile signature shall nevertheless be valid and sufficient for all purposes, the same as if such officer had remained in office until such delivery.

RESOLVED: That the fees, rents, rates and other charges proposed by the University of Massachusetts Building Authority (the "Authority") to be established for Fiscal Year 1992 pursuant to the Contract for

Financial Assistance, Management and Services 1984-A Projects and 1991-A Bonds dated as of August 1, 1991 (the "Contract") for the use of the projects of the Authority referred to therein (the "Projects"), a request for which Projects was authorized by the Trustees (the "Trustees") of the University of Massachusetts (the "University") on February 1, 1984, be and the same hereby are approved;

That in implementation of said fees, rents, rates and other charges as applicable to the Projects located at the Amherst campus of the University, the mandatory fee to be paid with respect to such Projects by all full-time students and other students, as the Trustees may determine, attending the Amherst campus of the University shall be so adjusted for the purpose of providing revenues from or attributable to the use of such Projects, effective beginning in Fiscal Year 1992, so as to be sufficient, when added to other revenues derived from such Projects and payable to the Authority pursuant to the Contract and pursuant to the Contract for Financial Assistance, management and Service 1984-A Projects dates as of April 1, 1984 (the "1984-A Contract"), to meet the requirements of Section 9 of Chapter 733 of the Acts of 1960, as amended, to the extent that such requirements are not otherwise satisfied by the Trustees or from other funds provided by the Authority for such purpose;

That in implementation of said fees, rents, rates and other charges as applicable to the Projects located at the Worcester campus of the University, there shall be established fees for the use of such Projects in such amounts as the Trustees shall fix for the purpose of providing revenues from or attributable to the use of such Projects sufficient, when added to other revenues derived from such Projects and payable to the Authority pursuant to the Contract and pursuant to the 1984-A Contract, to meet the requirements of Section 9 of Chapter 733 of the Acts of 1960, as amended, to the extent that such requirements are not otherwise satisfied by the Trustees or from other funds provided by the Authority for such purpose. (Doc. T91-056)

The next agenda item was to approve Personnel Actions at the Amherst and Worcester campuses. It was moved, seconded and

VOTED: To approve a salary of $97,000 for Lee Edwards as Dean of the Faculty of Humanities and Fine Arts at the University of Massachusetts at Amherst. (Doc. T91-073)

and,

To approve a salary of $70,000 for Frank Viera as Director of Finance at the University of Massachusetts Hospital. (Doc. T91-069)

and further,

To approve a salary of $90,000 for Lillian Goodman as interim Dean of the Graduate School of Nursing at the University of Massachusetts Medical Center. (Doc. T91-079)

and,

To approve a salary of $120,000 for Michael Greene as Executive Director of the Group Practice Plan for the Worcester campus. (Doc. T91-082)

The proposed Fiscal Year 1992 Trust Fund Interest Allocations were then discussed. The Chair indicated that the recommendation was that more trust fund interest be allocated to the campuses with the understanding that there would be no additional funds sought and that next year the allocation would be done on the same percentage basis. It was moved, seconded and

VOTED: To approve the FY1992 Trust Fund Interest Allocations as contained in Doc. T91-063. Further, that the Trustee Reserve established by the Board of Trustees for expenditure in FY1993 be made available to the Amherst, Boston, and Worcester campuses and the Office of the President in the same proportion as allocated for FY1992.

The next agenda item was a recommendation from the Board of Governors of the University of Massachusetts Foundation to restructure the Foundation which would move it toward becoming self-sufficient. It was moved, seconded and

VOTED: To approve a proposal from the Board of Governors of the University of Massachusetts Foundation as set forth in Document T91-077, which includes the establishment of a management fee of 1% on the endowment, the transfer of employees to the Foundation with the exception of the current Executive Director, Thomas Trotman, and an allocation of trust fund interest to the Foundation for FY'92 in the amount of $150,000.

The Committee then considered a request from the Worcester campus for an extension of two loans from the University to University Health Systems of New England and approval of a loan guarantee by the Hospital Trust Fund for a subsidiary of UHS. Chair Oakes indicated that this item has received considerable committee discussion and the recommendation had been modified from the original request. It was moved, seconded and

VOTED: To approve an extension of the loan to University Health Systems, Inc. granted by the Board from Trustee Reserve (Doc. T86-013) final payment to be due June 30, 1992.

and,

To approve an extension of the loan to University Health Systems, Inc. granted by the Board from the Hospital Trust fund for an three additional years, payment to be due July, 1995 (Doc. T87-042)

and further,

To approve a loan guarantee by the Hospital Trust Fund of up to $300,000 for a line of credit from a commercial bank to U/Med. Inc., a subsidiary of University Health Systems, Inc., provided that the terms and conditions of the loan guarantee shall be subject to the approval of the Vice President for Management and Fiscal Affairs and University Treasurer, the Chancellor of the Medical Center, the Board of Directors of UHS and the Board of Directors of U/Med, Inc. Provided further, that University Health Systems, Inc. or its subsidiaries will not initiate on behalf of the Medical Center any new projects for two years without the approval:oval of the Chancellor, the President, and the Chairman of the Board of Trustees.

The next item was a proposal for the Medical Center to enter into an Affiliation Agreement with the Worcester Area Community Mental Health Center, a non-profit corporation providing outpatient mental health services. This agreement would allow the Department of Psychiatry to work in affiliation with the Worcester Area Community Mental Health Center to provide treatment of the seriously mentally ill. It was moved, seconded and

VOTED: To authorize the President of the University to enter into an affiliation agreement on behalf of the University of Massachusetts Medical Center with the Worcester Area Community Mental Health Center, under such terms and conditions as he deems appropriate. (Doc. T91-081)

The last item was the acceptance of Audits. It was moved, seconded and

VOTED:

To accept the following Audits:
Boston Campus Bursar's Office Operations, Follow-Up Report
(Doc. T90-009, Addendum l)
University Auditing Operations Report for FY91
(Doc. T91-067)
Annual Audit Plan, FY92, FY93, FY94
(Doc. T91-076)

Chair Oakes then moved to the Executive Committee report and recommendations. Approval of the Hospital Management Board Minutes were moved, seconded and

VOTED: To approve the minutes of the March 27th, May 22nd and June 26th Hospital Management Board minutes including the February, March, April and May 1991 Unaudited Financial Statements, and the appointments and reappointments to the Medical Staff. (Doc. T91-066)

Further, that the President be directed to resolve under reorganization the question of collective bargaining delegation to the Medical Center.

The next item was required by Section 318 of the FY 1992 Budget act and was to establish a committee to study ways in which the Medical School could increase revenues to said said Medical School. The Committee had discussed and modified the list by adding Edgar Smith, former Vice President for Academic Affairs. It was moved, seconded and

VOTED: To approve the establishment of the University of Massachusetts Medical School Committee to study ways in which the Medical School can increase revenues to sustain said Medical School and to appoint members of said committee as follows:

Trustee	Michael Foley
Trustee	
Treasurer/Vice President	Stephen Lenhardt
Chancellor	Aaron Lazare
Deputy Chancellor	
Hospital Director	Gail Frieswick
School Chief Operating Officer	Thomas Manning
Community/Foundation	Joseph Benedict
Community	George McClelland
Community	Edgar Smith
Clinical Chair	Brownell Wheeler

Clinical Chair	Neil Blacklow
Basic Science Chair	Maurice Goodman

Further, that the President be authorized to substitute names in the event an individual cannot serve. (Doc. T91-080)

The Board then approved Personnel Actions as submitted by the President. It was moved, seconded and

VOTED: To concur with the President in the appointment of Dr. Lee Edwards as Dean of the Faculty of Humanities and Fine Arts at the University of Massachusetts at Amherst. (Doc. T91-073)

And further,

To concur with the President in the appointment of Michael Greene as Executive Director of the Group Practice Plan at the University of Massachusetts at Worcester.
(Doc. T91-082)

Then considered was the adoption of the University Equipment Inventory Policy to provide a more uniform and cost-effective means of inventory control and accountability for University equipment. It was moved, seconded and

VOTED: To approve the University Equipment Inventory Policy as contained in Doc. T91-074; and further, to rescind Doc. T82-081, University-wide Inventory Policy.

Chair Oakes then asked for a motion to go into Executive Session to discuss Honorary Degrees and stated the Board would reconvene its meeting to adjourn. At 11:07 a.m. it was moved, seconded and

VOTED: To award an honorary degree to the individuals agreed upon in Executive Session and to instruct the Chancellors to proceed with the necessary arrangements.

Chair Oakes voted for the motion as did Trustees Baker, Bowman, DiCara, Doherty, Foley, Huguenin, Newnan, Taylor and Vittimberga.

At 11:25 a.m. the Board came out of Executive session and adjourned.

Cynthia A. Fontaine
Administrative Secretary
to the Board of Trustees

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UNIVERSITY OF MASSACHUSETTS
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Minutes of the Special Meeting of the Board of Trustees

Thursday, September 5, 1991; 2:30 p.m.
Rare Books Room
University of Massachusetts
Worcester, Massachusetts

Trustees and Trustee Staff: Trustees Alpert, Bogan, Chang, DiCara, Finnerty, Flores, Foley, Karam, Lewenberg, Newnan, Oakes, Pacheco, Reed, Solomont, Spence, Taylor, Vittimberga, Winston; Mr. Marks representing Trustee Robertson; Mrs. Fontaine, Administrative Secretary

Trustees Absent: Trustees O'Leary and Poduska

University Administration: President Fretwell, Chancellors Brazil, Hogan, Lazare, Penney and O'Brien

The first meeting of the new five campus University of Massachusetts was convened at 2:30 p.m. Dr. Fretwell noted that this was an historic occasion for the University and welcomed those in attendance.

The first item on the agenda was the Election of a Chair Pro Tem. Because of the organizational nature of the meeting and the need to rescind all the By-laws, it was suggested that President Fretwell be elected to the position for this meeting only. It was moved, seconded and

VOTED: To elect President E. K. Fretwell as Chair pro tem for the duration of the meeting.

Then considered was the Rescission of the Current By-laws. This was necessary because existing By-laws do not contemplate an organizational meeting for a new Board or nomination and election of officers as a result of the reorganization legislation. Without discussion, it was moved, seconded and

VOTED: To rescind the by-laws of the Board of Trustees of the University of Massachusetts, the by-laws of the Board of Trustees of Southeastern Massachusetts University, and the by-laws of the Board of Trustees of the University of Lowell.

The Board then considered the adoption of the By-laws of the Board of Trustees on an interim basis. After discussion of the proposed By-laws, the following amendments were moved and adopted. It was then moved, seconded and

VOTED: To adopt by-laws for the Board of Trustees of the University of Massachusetts (Doc. T91-100) on an interim basis with the following amendments:

- To strike out, in Article I, Section 2, the words ", a First Vice Chair; and a Second Vice Chair" and insert in place thereof the words "and two Vice Chairs."

- To strike out, in Article I, Section 3, the words "First Vice Chair, Second Vice Chair" and insert in place thereof the words "two Vice Chairs."

- To insert, in Article II, Section 3, third paragraph, after the word "President," the words ;"provided, however, that any voting Trustee may submit an item to the Secretary upon informing the Chair of the Board."

- To insert at the end of Article II, Section 6, the following sub-section: x. "Or for any other purpose permitted by law."

- To insert, in Article III, Section 2 (b) after the words "standing committees of the board," the words, "a voting student Trustee,".

- To strike out, in Article III, Section 2 (b), the words "the First Vice Chair, the Second Vice Chair," and insert in place thereof "the Vice Chairs,"

- To insert, in Article III, Section 4, last paragraph, after the word "President," the words "; provided, however, that any voting Trustee may submit an agenda item to the Secretary upon informing the Chair of the Committee."

- To insert, in Article III, Section 5 (c) (i), after the words "operating budget of the University," the words "including the allocation of funds to the campuses and other operating units of the University."

- To insert in Article VI, in place of the words "two thirds" the words "a majority"; provided, however, that such amendment shall be in effect only until the October, 1992 meeting of the Board of Trustees. Thereafter, the original language, "two thirds" shall be in effect.

President Fretwell then asked the trustees for Nominations of Officers from the floor. It was moved seconded and unanimously

VOTED: To elect the following officers of the Board of Trustees of the University of Massachusetts for terms extending to the annual meeting of the Board of Trustees in October, 1992:

Chair	Gordon N. Oakes, Jr.
Vice-Chair	Robert S. Karam
Vice-Chair	Alan D. Solomont
Administrative Secretary	Cynthia A. Fontaine

It was also recommended that for this year the Chair be authorized to appoint the Chairs and members of the standing committees, all to serve until the 1992 annual meeting. It was moved, seconded and

VOTED: To authorize the Chair of the Board of Trustees to appoint Chairs and members of standing Committees of the Board of Trustees for terms extending to the annual meeting of the Board of Trustees in October, 1992.

The schedule of future dates was then presented. After a discussion of the proposed number of meetings per year and trustees' responsibilities, it was suggested that other dates be set aside for such purposes as orientation visits to the campuses.

There was then a discussion about the upcoming meeting and President Fretwell was asked to report at the Executive Committee on several items such as where we are in relation to the memo of understanding and to share the campus mission statements and proposed university statement. Other items President Fretwell said he would report on were the Search for President and the state of the university through a report of the President.

In concluding the meeting, Chair Oakes read the attached statement which he asked to be communicated to the five campuses' faculty, students and administrators indicating the sense of the Board has about its responsibility, and its mission.

There being no further business to come before the Board, the meeting adjourned at 3:15 p.m.

Cynthia A. Fontaine
Administrative Secretary
to the Board of Trustees

GORDON N. OAKES, JR., CHAIR

REMARKS MADE AT THE SEPTEMBER 5, 1991 SPECIAL MEETING OF THE BOARD

"Some of us have served before as trustees of one of the three institutions, and others are newly appointed.

But, when we accepted appointment as trustees of the new University of Massachusetts, knowingly or unknowingly, we took on a responsibility unmatched in the history of public higher education in this Commonwealth.

We are embarked on a new mission, greater in interest than any one campus. Of course we want to champion the campuses with which we have been closely associated and admire greatly. But, our responsibility as trustees of the University of Massachusetts is to the citizens of the Commonwealth for whom we hold this new University in trust for safekeeping and nurturing.

Our responsibility is awesome, for the decisions we make in the months and years ahead will directly affect the lives and futures of thousands of young men and women. As we forge this new University we could become consumed by the details of the merger and ignore long-range goals. We cannot let this happen. We must advocate and champion the cause of public higher education as never before, while making the policy and organizational decisions that will lead this university to greatness.

The economic and political events of the past three years have changed public higher education in Massachusetts. We cannot look back and hope for the past. But there must be a restoration of the Commonwealth's confidence in and commitment to our campuses and our faculty, staff and students. And we must work to restore the morale of faculty and staff who have dedicated their lives to enriching the minds of the students entrusted to them so that they can go on to contribute to a better world.

Faculty and staff have been furloughed and have gone without pay increases for three or four years. Fortunately most of them have remained faithful to their commitments here in the Commonwealth and have not been lured away by offers from other universities. For this loyalty and commitment they deserve our gratitude. This loyalty will wither unless there is recognition that their efforts are valued and appreciated. The top faculty and staff in our system will not dedicate their careers to a mission of mediocrity. They aspire to greater

heights. As trustees, we must make sure that we articulate a vision and set lofty goals for this institution that will earn the confidence of our faculty, students and staff and the citizens of this state, and fight to fulfill them.

The problems are many and thorny. The economy is sour and tax dollars to maintain and improve the quality of life are limited for many worthy state supported institutions. Students and parents have seen dramatic increases in college expenses, to the point that students can no longer work their way through college with one or two jobs as many of us did. Instead, if they are willing to take on the burden, they will be faced with years of loan repayments that will preclude many of them from ever having enough for a down payment on a home.

Public higher education has always been a vehicle for fulfilling the American dream that every person should have the opportunity to achieve success without regard to their means or background.

Strong measures to bring the state's finances under control were necessary, but there comes a point when a new direction must be taken, a new vision presented and a new leadership enjoined to build a better Commonwealth. That time is now. The Governor has set a goal of making this a "world class" University in the coming decade. Public Higher Education has been reorganized, and a new Secretary who understands the need to ensure affordable, quality education is with us as well as the new legislative leadership. A new President and five able chancellors are ready to move forward to build a new university for our citizens. Dedicated faculty and staff who deserve our thanks and our confidence and our commitment are hard at work.

Just as we must provide opportunity for the best education for our young people, we must seize the opportunity to change the face of public higher education. As trustees of a new revitalized University of Massachusetts we have the chance to do that. Let's begin now--together. It is a most noble enterprise."

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UNIVERSITY OF MASSACHUSETTS
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Minutes of the Meeting of the Board of Trustees

Wednesday, October 2, 1991; 5:00 p.m.
Faculty Conference Room
University of Massachusetts
Worcester, Massachusetts

Trustees and Trustee Staff: Chair Oakes; Trustees Bogan, DiCara, Finnerty, Flores, Foley, Haynes, Karam, Lewenberg, Newnan, O'Leary, Pacheco, Poduska, Robertson, Solomont, Spence, Taylor, Vittimberga and Winston; Mrs. Fontaine, Administrative Secretary

Trustees Absent: Trustees Alpert, Chang and Reed

University Administration: President Fretwell, Chancellors Brazil, Hogan, Lazare, Penney and O'Brien

Chair Oakes convened the meeting at 6:00 p.m. The first item on the agenda was Consideration of the Minutes of Prior Meetings of the Board. It was moved, seconded and

VOTED: To approve the minutes of the August 7th and September 5th, meetings of the Board.

Chair Oakes welcomed to the new Board, Mr. Robert J. Haynes.

The Board then heard *Reports from the Chancellors.*

Chancellor Lazare reported on recent visits to the campus by Governor Weld and Secretary of Health and Human Services, David Forsberg on September 19th, and by United States Representative Joseph Early. He also updated the Board on the construction plans for the Ambulatory Care Building and reorganization plans in the research areas.

Chancellor Hogan spoke about the recent accreditation of Engineering; noting the concern over resources particularly in the area of support staff. Reporting on research activity, he said total research dollars for the campus are expected to increase an additional 15%, for a total of $16 million.

Chancellor Brazil also reported on the campus' successful institutional accreditation, and about programmatic interaction with the Boston campus in the area of marine science. He spoke about plans for a twenty year celebration which would include a capital development fundraising effort to culminate in 1995. In concluding his report, he spoke of efforts to assess the damage created by the three year hiring freeze. He hopes to have a complete analysis of the work-force alignment by the end of the semester.

Chancellor Penney reported on the recent Forum on Public Higher Education sponsored by the Boston Herald. She also reported on recent grants and awards to the campus and about the work with the Bunker Hill and Cape Cod Community Colleges on extended articulation agreements. With regard to enrollment, she said for the first time in the three year period that the budget decreased the campus has experienced a slight decrease in enrollment in the undergraduate area, but that graduate enrollment continues to be strong.

Chancellor O'Brien distributed a package of newsclips about people and events at the Amherst campus. He reported on recent activities related to the Graduate Employees

Organization. He also said that ten days ago, NBC Nightly News declared the University of Massachusetts at Amherst among the highly regarded public Universities in the nation.

Trustee Taylor then gave the report of the *Committee on Academic and Student Affairs*. The first item considered was **Re-approval of New Programs at Amherst, Boston and Dartmouth**. The campuses were seeking re-approval of thirteen academic program proposals which had been approved by the former boards of trustees at the University of Massachusetts, the University of Lowell and Southeastern Massachusetts University. He said the Committee discussed at length its sense of discomfort about simply rubber stamping the programs and that its discussion focussed on when new programs are approved, how they can be made to serve the entire University. It was moved, seconded and

VOTED: To approve the following Stage I academic degree program proposals:

UMass-Amherst

B.S. in Biology
M.S. and Ph.D in Nutritional Science
Ph.D. in Hotel, Restaurant and Travel Administration
Ph.D. in Nursing

UMass-Boston

Ph.D. in Computer Science

UMass-Dartmouth

Ph.D. in Electrical Engineering
B.A. in Music
M.S. in Mechanical Engineering
M.A.T in Teaching

and,

That prior to submitting the Stage II proposals all programs should clearly indentify how they will serve the entire University.

and further,

To approve the following Stage II academic degree program proposals:

UM-Boston

Ed.D. in Education

UM-Lowell

D.N.S. in Nursing

And further,

That these programs be implemented to serve the needs of the entire University. (Doc. T91-112)

He then spoke about the establishment of the Stage I, planning process for the **Ph.D. Program in Language, Writing and Culture** at the Boston campus. This program will award a doctorate degree in Language, Writing and Culture to teachers who will in turn train teachers in an area of specialization. He added he was impressed with the thought

that went into this program and that it is almost uniquely responsive to the mission of the Boston campus in focussing on urban needs, changing demographics in the country and certainly in urban areas such as Boston. It was moved, seconded and

VOTED: To approve the establishment of the Ph.D. in Language, Writing and Culture at the University of Massachusetts at Boston as contained in Doc. T91-113.

The next item considered was **Approval of the 1991-1992 Affirmative Action Plan** for the Amherst campus. Without discussion, it was moved, seconded and

VOTED: To approve the 1991-1992 Affirmative Action Plan for the University of Massachusetts at Amherst as contained in Doc. T91-111.

The third item recommended was the appointment of three faculty members as **Distinguished University Professors** at the Amherst campus. He said the Committee discussed whether the University should be moving forward when a policy had not been established for the new five campus University. The judgment was that this recognition was important and that a policy should eventually be established University-wide. It was moved, seconded and

VOTED: To concur with the President in the appointment of Dr. Keith Rayner, Dr. Richard J. Farris and Dr. Allen E. Ivey as Distinguished Professors at the University of Massachusetts at Amherst. (Doc. T91-104)

The Board then considered the **Graduation Lists** at Amherst. Without discussion, it was moved, seconded and

VOTED: To approve the February, May and September, 1991 graduation lists of the University of Massachusetts at Amherst subject to completion of all requirements as certified by the Recorder of the campus. (Doc. T91-105)

In concluding his report, Trustee Taylor said it is important for the Task Force on Academic and Student Affairs to try to think of the kind of standards that can be applied to help Trustees review new academic programs keeping in mind how they can serve the entire University and how they relate to the larger public higher education system of the State.

Trustee O'Leary then gave the report of the Committee on Administration and Finance. The first item was approval of the **FY1992 Operating Budget.** Trustee O'Leary indicated that the document reflects budgets of Dartmouth and Lowell as previously approved by their Board of Trustees. He added that this document anticipates no reversions or fee increases for FY1992. It was moved, seconded

VOTED: To approve the FY1992 Operating Budget for the Amherst, Boston, Worcester campuses and the Maurice Donahue Institute and President's Office as contained in Doc. T91-101.

The next item was the **FY1993 State Budget Request**. Trustee O'Leary said that the document had been presented at the Committee meeting. Although it was recommended, it is done with the knowledge and understanding that a great deal of work still needs to be done. He then asked Chancellor Hogan, who chairs the University Budget Task Force, to give a brief report of the recommendations.

Chancellor Hogan indicated that the FY1993 Request was based on a set of guidelines the Task Force agreed on. Namely, that it would be useful to make a statement about the

most critical needs of the University. He stated it is a budget which is focussed on the very narrow task of protecting the academic integrity of the University and preserving its ability to support economic development and competitiveness. It does that by speaking about the need for salary increases but not recommending any money in the present version. It also speaks of the bare needs in terms of physical plant maintenance and did not want to address the issue of what would normally fall under capital improvements to the physical plant.

Trustee O'Leary noted the obligation of the administration to submit the budget document to the state but added that the Administration and Finance Committee should receive final copy of the document. It was moved, seconded and

VOTED: To approve the budget priorities, parameters, and assumptions contained in the preliminary FY1993 State Budget Request (Doc. T91-109).

and

To approve the submission of a state budget request for the University of Massachusetts, the total of which will not exceed $285.4 million. The request shall include funding for the state maintenance appropriation of approximately $239.6 million, the state library special appropriation of approximately $1.2 million, matching student aid of approximately $2.1 million, McNair Reserves of approximately $1.2 million, state special priority funding of approximately $10.6 million, and budget options of approximately $30.7 million.

and further,

To authorize the President to modify the request by incorporating Trustee concerns with particular emphasis on wages and deferred maintenance, and approve the final FY1993 State Budget Request in the amount of $285.4 million and based on the principles contained in Doc. T91-109, with any revisions that may be necessary.

The next item was **Funding for the Purchase of Two Biotech Park** which had been previously approved by the UMass Board to be financed from the Building Authority. However, with the recent building authority refinancing in August there is now insufficient debt capacity to conduct this effort. It was recommended that the UMass Foundation purchase the building and that it be financed from funds other than the Hospital Trust Fund and through HEFA financing. The motion was made, seconded and amended by including in the vote, that the purchase price not to exceed $14.5 million dollars.

VOTED: To request the University of Massachusetts Foundation to purchase the Biotech II building for a purchase price not to exceed $14.5 million.

and,

To authorize the University of Massachusetts at Worcester to utilize revenues from non-state accounts other than the Hospital Trust Fund to guarantee payments to the Foundation with regard to the purchase of and/or the lease of space in the Biotech II building.

and further,

To approve the use of HEFA financing by the University of Massachusetts Foundation for the purchase of Two Biotech Park and

authorize the President to request approval of this financing from the Higher Education Coordinating Council if this is necessary.

The last item was acceptance of **Audits**. It was moved, seconded and

VOTED: To accept the following audits:

International Programs Office, UM/Amherst (Doc. T91-102)
Recreational Fees Review - Intramural Office at the Department of Athletics, UM/Amherst (Doc. T91-103

Chair Oakes then gave the report of the *Executive Committee*. The first item was the **Establishment of Campus Councils**. Without discussion, it was moved, seconded and

VOTED: To establish for each campus a council which shall be broadly representative of the community, alumni(ae), and students, and shall, at the request of the Chancellor, advise and make recommendations to the Chancellor regarding the campus, and undertake such other activities as shall be determined by the Chancellor.

Members shall be appointed by the Board of Trustees upon nomination of the campus Chancellor. Factors to be considered in nominating members for appointment shall include (a) high standing in one's professional activities and/or community, (b) an understanding of and affinity for the mission of the campus, (c) a strong belief in and a commitment to private and public sector support of public higher education, and (d) a willingness to set an example of generous service and support for the campus.

Members of each council shall serve a one year term and are subject to reappointment. Council members shall serve without compensation, but travel and other expenses related to official business may be authorized and funded by the Chancellor. (Doc. T91-108)

The Chair then asked to defer Honorary Degrees to the end of the agenda.

Under **Other Business**, Trustee Winston indicated that he had been approached by students from UM/Boston at the Downtown Campus regarding the discontinuation of health services at that location.

Chair Oakes then called on Chancellor Penney to comment. She indicated she shared the students concern and wished the campus could still provide all the programs and services it used to, but in July there was brought to the Board a very painful plan for downsizing which included layoffs and program discontinuances and mergers of areas of the campus. The plan was based on recommendations from a committee of faculty, students and staff and one recommendation was a very significant reduction in health services. The total recommendation was not accepted but included discontinuation of health services at CPCS. Health services are still available at the Harbor campus and there is a free bus to bring students to the campus. She added that Vice Chancellor Desmond has been meeting with people at the Downtown campus and will continue to meet with them.

The Trustees then raised questions of the number of students served and availability of services in emergency situations. Trustee O'Leary added that this was part of a recommendation considered last spring and is something appropriate to be managed by the Chancellor.

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There being no further business to come before the Board, the Chair asked for a motion to go into executive session to discuss the **Award of Honorary Degrees**. He announced that the Board would not reconvene in open session. At 6:55 p.m., it was moved, seconded and

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VOTED: To go into executive session.

Chair Oakes voted for the motion as did Trustees Bogan, DiCara, Finnerty, Flores, Foley, Haynes, Karam, Lewenberg, O'Leary, Pacheco, Poduska, Solomont, Spence, Taylor, and Winston.

The meeting adjourned at 7:25 p.m.

Cynthia A. Fontaine
Secretary to the Board of Trustees

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MINUTES OF THE MEETING OF THE BOARD OF TRUSTEES

Wednesday, December 4, 1991; 5:30 p.m.
250 Stuart Street
Trustees' Lounge
University of Massachusetts
Boston, Massachusetts

Trustees and Trustees Staff: Chair Oakes; Vice Chairs Karam and Solomont; Trustees Bogan, DiCara, Finnerty, Flores, Foley, Haynes, Lewenberg, Loh, Newnan, O'Leary, Pacheco, Reed, Spence, Taylor, Vittimberga and Winston; Mrs. Fontaine, Secretary to the Board of Trustees

University Administration: President Fretwell; Chancellors O'Brien, Penney, Brazil, Hogan and Lazare; and General Counsel Searson

Chair Oakes convened the meeting at 5:30 p.m. He then spoke of Trustee Alpert and his advocacy for the new University of Massachusetts. After a moment of silence in recognition of Trustee Alpert, the meeting resumed. Trustee Karam asked the President to send on behalf of the Board a letter to Trustee Alpert's widow thanking him for his service to the University.

Chair Oakes then reported that he, with Trustees Foley and Lewenberg, Provost O'Brien and Dr. Fretwell had spent two days at a meeting of Five College Trustees. He said there is a great deal of enthusiasm in finding additional ways to cooperate that extend through almost every activity of the University from the educational mission of the five institutions to finding ways to combine educational programs. Trustee Lewenberg shared his sentiments and thought the University should be able to learn alot from the consortium.

Chair Oakes also mentioned that Chancellor Hogan and his staff had invited the members of the Board to spend some time on the Lowell campus. He recommended the Trustees visit the campus to see the exciting work that occurs.

He then announced that Trustee Spence would chair a small committee to look at the way the committee and board meetings are organized.

In concluding his report, he spoke about how the condition of the physical facilities on all five campuses should be at the forefront of the Trustees' agenda along with other areas such as telecommunications. He said Trustee Flores has been asked to chair a committee including Trustee Haynes, Secretary Robertson and President Fretwell to help find what is in existence and come back to the Board with recommendations on how to tackle the problems.

President Fretwell then gave his report, a copy is attached.

The Board then heard the reports from the Chancellors. Chancellor Brazil distributed informational material and directed their attention to Highlights which outlines specific achievements of the institution and individual faculty. He concluded his remarks by noting the "gem" that UM/Dartmouth is and what great service it has given to the region and the Commonwealth. He hoped the Trustees would push very hard to make sure the people know what can and will be done by the new University of Massachusetts.

Chancellor Lazare spoke about the atmosphere at the campus. As part of his report, he spoke about the impact on the campus of the increased fringe benefit rate and the affect

it will have. He also spoke about the development of a Cancer Center and the search for a Director.

Chancellor Hogan reported on three recent events at the Lowell camps. First, the formal opening of the Tsongas Industrial History Center, second, the formal ribbon cutting for the Demonstration School which focuses on developing linguistic skills at a very young age as a technique for individual development and for quickly integrating and mainstreaming new arrivals to America. The third item was the preparation for opening the Center for Innovation and Plastics Manufacturing.

Chancellor Penney announced that the Presidential Commission on debates has done a primary investigation of four sites for the presidential debates and UMass Boston/Kennedy Library is one of the four. With regard to on-campus events, she spoke about the successful corporate breakfast held at which time the campus honored Alton Brann, a graduate of the first class at UMass Boston.

She also reported that the McCormack Institute has been working with former trustee, James Carlin, Receiver for Chelsea, on ways to bring financial stability to the bankrupt city. She added that she's been talking with him and President Fretwell about ways to make this a University wide project and will come back with a proposal.

She then noted that a number of students would like to be heard on the issue of health services. She added that she has appointed a committee to look at health services, not the reopening of services, but the range of services and make recommendations for next year.

Trustee Haynes asked that the Board dispense with the regular order of business to hear the students. There being no objection Chair Oakes asked Trustee O'Leary to report on the discussion at the Administration and Finance Committee. Trustee O'Leary said health services is an issue that has been before the Board at the last two meetings. He said that after discussing it in committee that afternoon, the members felt strongly that it is an issue best left to the management of the Boston campus.

The Board then heard from students and faculty from the College of Public & Community Services.

Chancellor O'Brien distributed newsclips relating to activities on campus. He noted the opening of the William Smith Clark Memorial, and spoke about the recent activities related to the Graduate Teaching Assistants. He also spoke about the FY1993 budget which could face the campus with a $20 million dollar problem. Contributing factors include decline in enrollment, the ruling by HECC on tuition waivers resulting in the loss of $3.5 million dollars, and the new early retirement proposal which would result in a $11 million dollar loss.

Reports from the Standing Committees was the next item on the agenda. Trustee Taylor reported for the Committee on Academic & Student Affairs. The first item was approval of the Scholarly Misconduct Policy UM/Amherst, required by Federal Law in institution's which receive federal funding. It was moved, seconded and

VOTED: To approve the Scholarly Misconduct Policy at the University of Massachusetts Amherst as contained in Doc. T91-035A.

The next item was the Award of Tenure at Amherst and Worcester. It was moved, seconded and

VOTED: To concur with the President in the award of tenure to the following individuals:

Amherst:
MaryAnne Bright as Associate Professor of Nursing
Graham Gal as Associate Professor of Accounting

Worcester:

Steven N. Treistman as Professor of Pharmacology
Christie A. Holland as Associate Professor of Radiation Oncology and Molecular Genetics and Microbiology. (Doc. T91-119)

The next item, was an **Appointment with Tenure** UM/Amherst. After hearing from Trustee Taylor about campus procedure, it was moved, seconded and

VOTED: To concur with the President in the appointment of Ellen Woolford as Associate Professor of Linguistics at the University of Massachusetts Amherst. (Doc. T91-120)

The Committee recommended the **Transfer of Tenure** of Patricia Griffin at UM/Amherst. It was moved, seconded and

VOTED: To concur with the President in the transfer of tenure for Patricia Griffin from the Department of Professional Preparation in Physical Education to the School of Education at the University of Massachusetts Amherst. (Doc. T91-131)

Trustee Taylor then recommended approval of the **1991-92 Affirmative Action Plan** at Worcester. It was moved, seconded and

VOTED: To approve the 1991-1992 Affirmative Action Plan for the University of Massachusetts Worcester as contained in Doc. T91-125.

The last item was **Graduation Lists**. It was moved, seconded and

VOTED: To approve the December, 1991 graduation lists at the University of Massachusetts Boston, subject to completion of all requirements as certified by the Recorder of the campus.

And,

To award a Ph.D. Degree in Immunology/Virology from the University of Massachusetts Worcester to Elizabeth Eynon, subject to completion of all requirements as certified by the Recorder of the campus.

Trustee O'Leary then gave the report of the Administration and Finance Committee. The first item was approval of **FY1992 Group Practice Plan**. It was moved, seconded and

VOTED: To approve the FY1992 Group Practice Plan Budget as contained in Doc. T91-024.

The next item was a recommendation to authorize **Lowell and Dartmouth to Grant Diplomas** in UMass's Name to previous graduates. It was moved, seconded and

VOTED: To authorize the Lowell and Dartmouth campuses to offer diplomas in the name of the University of Massachusetts to previous graduates; and, further, to approve a printing and handling fee of $25 per diploma. (Doc. T91- 134)

Then considered were three Leases at UM/Worcester. It was moved, seconded and

VOTED: To authorize the Chancellor of the Worcester campus, with approval of the Division of Capital Planning and Operations, to lease for five years 2,900 square feet of space at 116 Country Boulevard in Worcester for the purposes of expanding the Child Care Services program.

And,

To authorize the Chancellor of the Worcester campus, with approval of the Division of Capital Planning and Operations, to lease for five years 2,400 square feet of space at 512 West Main Street in Shrewsbury to accommodate the increase in outpatient services in Cosmetic Surgery.

And further,

To authorize the Chancellor to accept a gift of approximately 50,000 square feet of leased space from the University of Massachusetts Medical Foundation for a three year period. (Doc. T91-128)

The next matter was for a feasibility study to be completed for Housing at UM/Boston. Trustee O'Leary said this received considerable discussion. It was moved, seconded and

VOTED: To authorize the Chancellor of the University of Massachusetts Boston to request the University of Massachusetts Building Authority to explore the feasibility of leasing appropriate space in the greater Boston area as a pilot housing program for students of the Boston campus, all as more fully described in Doc. T91-122. Said study shall include an inventory of all dormitory rooms available within the University for possible utilization. Further, that said Chancellor shall submit to the Board of Trustees for its February 5, 1992 meeting a business plan detailing the feasibility of such a program, together with requests for all appropriate trust funds, fees and budget to operate such a program.

Trustees Flores and Finnerty are recorded as opposed.

The next item was an amendment to a October 2, 1991 vote regarding the Biotech Park at Worcester. This amendment would approve the use of HEFA or MIFA as the financing mechanism. It was moved, seconded and

VOTED: To amend the October 2, 1991 vote of the Board of Trustees with respect to funding for the purchase of Two Biotech Park, as follows:

To approve the use of HEFA or MIFA financing by the University of Massachusetts Foundation for the purchase of Two Biotech Park and authorize the President to request approval of this financing from the Higher Education Coordinating Council if this is necessary.

The next item was approval of the Collaborative Program at Worcester. This item had been tabled because of on-going negotiations which have since concluded. Chancellor Lazare recommended approval of the program. Trustee O'Leary commended the Chancellor

and his staff for their successful efforts. It was moved, seconded and

VOTED: To authorize and approve proceeding with the collaborative proposal described in the letter of understanding between Secretary Forsberg of the Executive Office of Health and Human Services and Chancellor Lazare of the Medical Center dated September 4, 1991 (Doc. T91-121), and to approve the implementation thereof upon fulfillment of the conditions recited therein; including, without limitation, the entry into as licensee of a master license covering the real and certain tangible personal properties of the former Worcester City Hospital and the entry into as licensor of sub-licenses of portions of such properties to other health care providers, the approval of filing of legislation authorizing the University of Massachusetts as the sole member thereof to organize a corporation under Massachusetts General Laws Chapter 180, the receipt of the aforementioned properties of the former Worcester City Hospital directly by the University or indirectly by the Chapter 180 corporation, the initiation of capital financing for up to $6.6 million dollars; and to authorize the Chancellor of the Worcester campus, with the approval of the President, to execute and deliver such documents and instruments (including, without limitation, the aforementioned license and sub-licenses, amendments to and extensions of Doc. T91-121, an agreement relating to Advanced Life Support/Ambulance Services within the City of Worcester and other agreements relating to the provision of health care services at the former Worcester City Hospital or in furtherance of the agreements and commitments as set forth in the letter of understanding, as amended) all as such Chancellor, with the approval of the President shall deem necessary or desirable, the execution and delivery of all such documents and instruments to be conclusive evidence of such approval.

David Mulligan, Commissioner of the Department of Public Health then addressed the Board noting the commitment on the part of the University.

In concluding his report, Trustee O'Leary said the Committee had considered Audits. It was moved, seconded and

VOTED: To approve the following Audits:

WFCR and Friends, Combined Financial Statements and Schedule, (Doc. T91-115)
Self Insurance Trust Audited Financial Statements and Management Letter (Doc. T91-116)
Teaching Hospital Audited Financial Statements and Management Letter (Doc. T91-117)
Group Practice Plan Audited Financial Statements (Doc. T91-118)

Chair Oakes then reported for the Executive Committee. The first item on the agenda was Appointment of Interim Chancellor at Dartmouth. It was moved, seconded and

VOTED: Upon the recommendation of the President, to appoint Joseph Charles Deck as Chancellor (Interim) of the University of Massachusetts Dartmouth, who shall serve at the pleasure of the President for a term not to exceed two years commencing January 10, 1992, with such

salary and other terms and conditions as shall be determined by the President.

Chancellor Brazil then introduced Dr. Deck.

The next item was consideration of **Hospital Management Board Minutes**. It was moved, seconded and

VOTED: To approve the minutes of the September 3rd and September 25th Hospital Management Board including the unaudited financial statements of June, July, and August, the proposed amendments to the Bylaws of the Medical Center (Doc. T90-055A) and the appointments and reappointments to the Medical Staff. (Doc. T91-124)

The next item considered was **Facility Security Clearance** at UM/Lowell. It was moved, seconded and

VOTED: To designate the following titles as the managerial group at the Lowell campus having the authority and responsibility for the regulations, execution and administration of classified contracts: Facility Security Officer, the Executive Director of the Research Foundation, the Chancellor, the President and the Chairman of the Board. And, further, that all Board members, except the Chairman, be excluded from access or control of classified contracts. (Doc. T91-127)

The next recommendation was the **Appointment of Glen Gordon as Provost** at UM/Amherst. It was moved, seconded and

VOTED: To concur with the President in the appointment of Glen Gordon as Provost at the University of Massachusetts Amherst effective December 5, 1991 for a term of five years.

Chancellor O'Brien then introduced Provost Gordon.

The next item was the **Policy on Awarding Honorary Degrees** which had been amended at the Executive Committee meeting. Chair Oakes clarified that any reference to submission dates was omitted. It was moved, seconded and

VOTED: To adopt the Criteria and Procedures for Awarding Honorary Degrees as contained in Doc. T91-130, as amended.

Trustee Solomont is recorded as opposed.

Under **Pending Matters**, Chair Oakes said at the last meeting there was discussion on how and when the Search for a permanent President would occur. After discussions he has had with Secretary Robertson he announced that Trustee Taylor would chair the committee. He said as part of the vote the trustee members would be appointed but that the committee envisioned would be selected from Massachusetts private institutions, other public institutions, faculty, students, members of business communities and people who would represent not only the University but the broader community.

Trustee Taylor then expressed his excitement and enthusiasm in finding the right person to harness the energy that exists on our campuses with faculty to lead the University through the next decade. He added that the best way to do that is to find people in Massachusetts who can bring distinction to the search committee. He welcomed advice and thoughts from everyone about the precise skills the President should possess.

Trustees Haynes and Flores noted the absence of labor, minority and female representation and encouraged the chair to consider these constituencies. Trustee Taylor said in the end the search committee will be fairly reflective of the diversity of the state.

It was moved, seconded and

VOTED: Whereas, it is important to the effective functioning of the new five-campus University that the Presidential search process now be initiated, and

Whereas, pursuant to the Bylaws of the Board of Trustees, the Chair of the Board has established a Presidential Search Committee and has appointed certain Trustee members thereof,

It is hereby VOTED, notwithstanding any other policy or procedure to the contrary, as follows:

To ratify the appointment of the Chair of the Board of Trustees of the following Trustee members to the Presidential Search Committee:

Daniel A. Taylor, Chair
Joseph S. Finnerty
Michael T. Foley, M.D.
Peter K. Lewenberg
James F. O'Leary
Alan L. Solomont
Thomas Winston

Pursuant to the Bylaws of the Board of Trustees and with a view toward including on such Committee members who are distinguished in higher education, business, and civic enterprises, including faculty members of the University, to ratify the authority of the Chair of Board of Trustees to appoint such other members as he deems appropriate.

Further, that the Search Committee seek the best qualified candidates for the position of President of the University, report periodically to the Board of Trustees regarding the Committee's progress, and recommend three candidates to the Board of Trustees.

Under Other Business, the Board heard from Professor David Lenson who made a statement on behalf of the unions representing faculty and librarians at Lowell, Dartmouth, Boston and Amherst.

After discussion, Chair Oakes then asked for a motion to go into executive session to discuss Honorary Degrees. It was moved, seconded and

VOTED: To go into Executive Session.

The time was 7:35 p.m. Chair Oakes voted for the motion as did Trustees Bogan, Finnerty, Flores, Foley, Haynes, Karam, Lewenberg, O'Leary, Pacheco, Solomont, Taylor and Winston.

The meeting adjourned at 8:00 p.m.

Cynthia A. Fontaine
Secretary to the Board of Trustees

2/1 Full Board

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UNIVERSITY OF MASSACHUSETTS

MINUTES OF THE MEETING OF THE COMMITTEE
ON ACADEMIC AND STUDENT AFFAIRS

Tuesday, February 5, 1991; 12:00 noon
Thirteenth Floor Conference Room
250 Stuart Street
Boston, Massachusetts

Committee and Committee Staff: Chair McBay; Trustees Baker, Canina, McQuilken and Zervas; Mrs. DeVico, Staff Assistant

Committee Members Absent: Trustees Huang and Huguenin

Other Trustees: Trustees Haynes, Oakes, Reed and Walsh

University Administration: President Duffey; Vice President Lenhardt; General Counsel Searson; Ms. Nethersole, Director of Student Affairs

UM/Amherst: Provost O'Brien; Professor Schumer, Faculty Representative; Vice Chancellor Madson

UM/Boston: Chancellor Penney; Provost Zompa; Professor Tager-Flusberg, Faculty Representative

UM/Worcester: Chancellor Lazare; Interim Provost Bratt; Dr. Cooke, Faculty Representative

Chair McBay convened the meeting at 12:08 p.m.

The first item of discussion was the Alcoholic Beverages Policy--UM/Boston. Mr. Morris, Associate Vice Chancellor for Student Affairs spoke of the need for an updated policy concerning the use of alcohol on the Boston campus. The policy would govern all individuals on campus including students, faculty and staff. Counsel Searson had made some minor changes to the policy sent to the Committee and the new policy would rescind the former policy passed by the Board in 1975.

The Committee made a change to Section 7, adding "The Director of Public Safety for the University shall determine the appropriate number of police officers, if any, . . ." to the language for the Executive Committee to act on at their meeting later in the day.

The next item, Appointment with Tenure--UM/Worcester was briefly discussed by Provost Bratt who told of Dr. Robert Zurier's national reputation in the field of Rheumatology. It was moved, seconded and

VOTED: To recommend that the Board concur with the President in the appointment of Robert B. Zurier, M.D. as Professor of Medicine with tenure at the University of Massachusetts at Worcester. (Doc. T91-006)

An Appointment with Tenure--UM/Boston was next discussed by Provost Zompa. Dr. Zelda Gamson is highly regarded in the field of higher education and will make an important contribution to the newly organized Graduate College of Education. It was moved, seconded and

VOTED: To recommend that the Board concur with the President in the appointment of Dr. Zelda Gamson as Full Professor with tenure in the Graduate College of Education at the University of Massachusetts at Boston. (Doc. T91-006)

The next item was Graduation Lists--UM/Amherst and UM/Worcester. Without discussion, it was moved, seconded and

VOTED: To recommend that the Board approve the January and February, 1991 graduation lists at the University of Massachusetts at Amherst and the June, 1991 graduation lists at the University of Massachusetts at Worcester, subject to the completion of all requirements as certified by the Recorder of the campus. (Doc. T91-001)

The next agenda item was the Scientific Misconduct Policy--UM/Worcester. This too was a discussion item that would be voted on by the Executive Committee. It was explained that Federal guidelines require that each institution applying for or receiving support under the Public Health Services Act must have a written policy in place that deals with possible scientific misconduct. Counsel Searson noted that similar policies should be forthcoming from the Amherst and Boston campuses.

An Institutional Program Review of the Music Department--UM/Boston was then discussed. The Board of Regents, in 1982, established a program review process for all undergraduate programs in public higher education. The Music Department at Boston had been reviewed in the Spring of 1990 and the review team had been impressed with the quality of the curriculum Provost Zompa and the Chair of the Music Department have been meeting to discuss ways of improving the Department due to the fact that they had recently lost an important faculty member.

The next item, Legal Services Center--UM/Amherst, was discussed in great detail. Trustee McQuilken updated the Committee regarding this issue and explained the work the Dispute Resolution Committee had done since the last meeting in December.

President Duffey had sent to the Board a revised proposal worked on by the Committee Facilitator, Judith McBride, Vice Chancellor Madson, Counsel Searson and Trustee DiCara. Judith McBride, Joanne Vanin, Dean of Students, Natasha Diephuis, President of the Student Government Association then made presentations explaining their interpretations of the revised proposal.

Basically, the revised proposal limited the Legal Services Center to represent individual students in litigation solely on landlord/tenant and consumer protection matters. An advisory committee would also be established by the Director of Student Activities to provide advice on issues related to the Legal Services Center.

Trustee McQuilken passed out a motion that would detail the Legal Services Center's litigation authority should the Committee vote on it.

While the Committee members were impressed by the fact that the students wanted to solve their problems through the dispute resolution process, some members still had a problem with the litigation issue. There should be a way to resolve disputes out of court and lawsuits would not lead to favorable public relations with the community.

It was then recommended that this issue be discussed at today's Executive Committee. Trustee McQuilken made a motion

To recommend to the Executive Committee that the Committee on Academic and Student Affairs express its appreciation for the process by which this document was created, while some members maintain reservations as to the litigation aspect of the proposal.

The Committee voted against the entire motion and

VOTED: To recommend to the Executive Committee that they express its appreciation for the process by which this document was created.

An Amendment to the Code of Student Conduct--UM/Boston was the next item. Provost Zompa explained that the language changes reflect the elimination of the Office of the Dean of Student Services. It was moved, seconded and

VOTED: To recommend that the Executive Committee revise the Code of Student Conduct at the University of Massachusetts at Boston (Doc. T87-037B) by deleting all references to the "Dean of Students" and substituting in its place the title of "Associate Vice Chancellor for Student Affairs".

Reports from the Student Trustees was the next topic of discussion. Trustee Canina talked about the continuing child care problem at the Boston campus and what was being done to help students with this need. Alternative sites were being looked at as well as continued discussion on the best way to solve this dilemma. He also spoke about organizing a public forum on different sides of the war in the Gulf.

Trustee McQuilken reported that the student government officers of the Amherst campus have requested a commission to study the Student Government Association and how to restructure the whole student government process. They are awaiting a response from the campus Administration.

Trustee Walsh reported on "Match Day", the day medical students would learn where their internships and residency programs would begin.

Campus Reports was the next agenda item. Provost Zompa reported that Chancellor Penney had agreed with the faculty staff union concerning furloughs and would look to draining subsidiary accounts to help with the budget crisis.

Interim Provost Bratt discussed a task force assembled by Chancellor Lazare to look at the Governance document overseeing the Worcester campus, this being in response to national mandates as well as the fact that the document had not been revised in six years.

Provost O'Brien expressed the campus' gratitude to Dean James John and Vice Chancellor Dennis Madson who have both taken new positions out-of-state. The campus would not be looking for replacements at this time of budget uncertainty but would appoint people from the campus in interim positions. The campus asked that a resolution be passed at the Board meeting expressing their appreciation for Dr. Madson's dedication to the students of Amherst and their issues.

It was also decided that luncheon meetings with members of the Committee and with the Deans would be added to the agenda. These meetings would take place after the Board meeting.

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Chair McBay then asked for a motion to go into Executive Session to discuss Personnel Matters. At 2:07 p.m. it was moved, seconded and

VOTED: To go into Executive Session.

Chair McBay voted for the motion as did Trustees Baker, Canina, McQuilken and Zervas.

The meeting adjourned at 2:16 p.m.

Barbara DeVico
Staff Assistant

UNIVERSITY OF MASSACHUSETTS

MINUTES OF THE MEETING OF THE COMMITTEE ON ACADEMIC AND STUDENT AFFAIRS

Tuesday, April 2, 1991; 12:00 noon
Thirteenth Floor Conference Room
250 Stuart Street
Boston, Massachusetts

Committee and Committee Staff: Chair McBay; Trustees Baker, Canina, Huguenin, McQuilken and Zervas; Mrs. DeVico, Staff Assistant

Committee Member Absent: Trustee Huang

Other Trustees: Trustees Haynes, Oakes and Walsh

University Administration: President Duffey; Vice President Lenhardt; General Counsel Searson; Ms. Nethersole, Director of Student Affairs

UM/Amherst: Provost O'Brien; Ms. Vanin, Interim Vice Chancellor for Student Affairs; Professor Schumer, Faculty Representative

UM/Boston: Chancellor Penney; Provost Zompa; Professor Tager-Flusberg, Faculty Representative

UM/Worcester: Chancellor Lazare; Interim Provost Bratt; Dr. Cooke, Faculty Representative

Chair McBay called the meeting to order at 12:07 p.m.

The first item was Graduation Lists--UM/Boston, UM/Worcester. Without discussion it was moved, seconded and

VOTED: To recommend that the Board approve the May and September 1991 graduation lists at the University of Massachusetts at Boston and the June, 1991 graduation lists at the University of Massachusetts at Worcester, subject to the completion of all requirements as certified by the Recorder of the campus. (Doc. T91-001A)

Awards of Tenure, UM/Amherst, UM/Boston and UM/Worcester were then discussed. There were 31 candidates from Amherst, 10 candidates from Boston and 2 candidates from Worcester. Chair McBay asked that she go on record as being discouraged at the lack of minority candidates being considered. It was moved, seconded and

VOTED: To recommend that the Board concur with the President in the award of tenure to the following individuals:

University of Massachusetts at Amherst:

Peter Alpert as Associate Professor of Botany
Wesley R. Autio as Associate Professor of Plant and Soil Sciences
Carlin A. Barton as Associate Professor of History
Robert H. Bosselman as Associate Professor of Hotel, Restaurant andTravel Administration
Thomas H. Boyle as Associate Professor of Plant and Soil Sciences

Nancy L. Cohen as Associate Professor of Nutrition
Richard Cooper as Associate Professor of Plant and Soil Sciences
Geert DeVries as Associate Professor of Psychology
Gerald Epstein as Associate Professor of Economics
Jeffrey Fernstein as Associate Professor of Hotel, Restaurant and Travel Administration
David Hoagland as Associate Professor of Polymer Science and Engineering
Bret A. Jackson as Associate Professor of Chemistry
Patrick A. Kelly as Associate Professor of Electrical Engineering and Computer Engineering
Nelson J. Lacey as Associate Professor of General Business and Finance
Paul M. Lahti as Associate Professor of Chemistry
R. Mark Lackie as Associate Professor of Geology and Geography
Patricia Mills as Associate Professor of Political Science
Suzanne Model as Associate Professor of Sociology
Robert A. Nakosteen as Associate Professor of General Business and Finance
Martha Olney as Associate Professor of Economics
Larry Owens as Associate Professor of History
Sally Powers as Associate Professor of Psychology
Penny Remsen as Associate Professor of Theater
James M. Robl as Associate Professor of Veterinary and Animal Science
Richard T. Rogers as Associate Professor of Resource Economics
Josephine Ryan as Associate Professor of Nursing
Robert S. Schwartzwald as Associate Professor of French and Italian
Paulina Stark as Associate Professor of Music and Dance
Sawasd Tantaratana as Associate Professor of Electrical and Computer Engineering
Paul E. Utgoff as Associate Professor of Computer and Information Science
Mary C. Wilson as Associate Professor of History

<u>University of Massachusetts at Boston:</u>

Jack Archer as Associate Professor of Environmental Sciences
Paul Benson as Associate Professor of Sociology
Wilredo Chiesa as Associate Professor of of Art
Linda Dumas as Associate Professor of Nursing
Maryanna Domokos-Cheng Ham as Associate Professor of Counseling Psychology
Richard Eckhouse as Associate Professor of Mathematics and Computer Science
Anne McElroy as Associate Professor of Environmental Sciences
Charles Meyer as Associate Professor of English
Thomas O'Grady as Associate Professor of English
Patrick O'Neil as Associate Professor of Mathematics and Computer Science

University of Massachusetts at Worcester:

Thomas Grisso as Professor of Psychiatry
Michael R. Volkert as Associate Professor of Molecular Genetics and Microbiology (Doc. T91-036)

The Mission Statement, UM/Worcester was discussed. Chancellor Lazare talked about the process involved in developing the Medical Center's Mission Statement which included the involvement of 5,000 employees over a six month period. Basically, the Mission of the Medical Center is to serve the people of the Commonwealth with the best care possible. As far as the educational aspect, the Medical School is dedicated to train physicians in a wide range of medical fields with an emphasis on practice in the public sector, specifically in underserved areas of Massachusetts.

The Committee commended the campus for an excellent report. It was moved, seconded and

VOTED: To recommend that the Board approve the Mission Statement for the Medical Center as contained in Doc. T91-029.

The Committee then discussed Scholarly Misconduct Policies at the Amherst campus. Campuses are required by federal regulations to have procedures in place dealing with scholarly misconduct including research fraud. Counsel Searson had not had sufficient time to fully review the document so it was agreed that it would be voted on as a preliminary document until Counsel could make some minor changes. It was moved, seconded and

VOTED: To recommend that the Executive Committee approve the Scholarly Misconduct Policies at the University of Massachusetts at Amherst as contained in Doc. T91-035 as a preliminary document.

The Awarding of Discipline-Specific Ph.D. Degrees in the Graduate School of Biomedical Sciences, UM/Worcester was the next agenda item. Dr. Bratt explained that in addition to the interdisciplinary degree in Biomedical Sciences, students would be able to receive doctoral degrees in Biochemistry and Molecular Biology, Cell Biology, Immunology and Virology, Molecular Genetics and Microbiology, Pharmacology, and Cellular and Molecular Physiology. There will be no need for additional funding or space. It was moved, seconded and

VOTED: To recommend that the Board authorize the University of Massachusetts at Worcester to award specific Ph.D. degrees in the programs/disciplines of Biochemistry and Molecular Biology, Cell Biology, Immunology and Virology, Molecular Genetics and Microbiology, Pharmacology, and Cellular and Molecular Physiology, as part of the approved Ph.D. in Medical Sciences. Further, to rename the Ph.D. in Medical Sciences as the Ph.D. in Biomedical Sciences. (Doc. T91-027)

Next on the agenda, was Governance for Undergraduate Education at UM/Worcester. Chancellor Lazare felt it was time for some changes in the Governance Document and requested that the campus Educational Policy Committee's authority be strengthened and delegated principal authority for the Medical School with regard to planning and implementing the medical education for the training of physicians.

Counsel Searson asked for a change under the heading of Duties, that being "the Educational Policy Committee shall have the responsibility for planning, implementing, supervising, evaluating, and continuously revising a coherent and comprehensive program of general medical education for the training of physicians, **subject to the authority of the Dean of the Medical School and the Chancellor."** Another change recommended by the Committee and Counsel Searson was under the heading of Authority, **"Recommendations of the Educational Policy Committee will be: a) approved, or sent back for reconsideration by the Dean within 20 working days of receipt of notification. b) approved, or sent back for reconsideration by the Chancellor within 20 working days of notification of the Dean's approval.** There were no objections and the motion was moved, seconded and

VOTED: To recommend that the Executive Committee approve the changes in the Governance Document for Undergraduate Education at the University of Massachusetts Medical School as contained in Doc. T79-042, Addendum l, as amended.

Greek Letter Organizations, UM/Amherst was the next item. This item was presented as a Statement of Relationship between the University at Amherst and General College Fraternities and Sororities. The statement would include standards for recruitment of new members, housing, discipline, etc.

Counsel Searson raised questions concerning liability issues and asked for more time to review the document. The item was tabled.

Program Reductions and Terminations at the Amherst campus was the next agenda item discussed. Due to the $18 million shortfall in the current budget it was proposed that the campus look very closely at the question of what programs should be reduced or possibly eliminated. Provost O'Brien stressed the point for the future, that priority programs be identified and saved from reductions. He explained that there was debate on the campus about across-the-board cuts versus preserving priority programs.

There was much discussion about this issue and Committee members had many questions, such as who determines what the priority programs are. Provost O'Brien explained that once the Board showed their support to this issue, the matter would go back to the campus as to how priority programs will be identified and what process will be used to reduce and/or terminate certain programs.

The Committee asked that the vote taken include the Boston and Worcester campuses as well as how budget cuts will affect all three campuses and their programs. They also agreed that priority programs should be identified to assure that they run effectively and that selective reductions in programs should be made when budget shortfalls occur. It was decided that the Provosts with the concurrence of General Counsel bring to tomorrow's Board meeting a vote endorsing this principle to include all three campuses.

A Joint Baccalaureate Degree Program in International Hospitality Management with HOTELCONSULT in Switzerland, UM/Amherst was the next agenda item. This program was originally presented to this Committee last October for discussion. After a full campus governance review was completed, the campus has brought this back to Committee for action.

The campus administration is very excited about this program and expects this joint program will strengthen the international dimension on campus. No additional resources would be required as the costs for personnel, travel and equipment would come through HOTELCONSULT. The Committee unanimously agreed with the campus' recommendation and it was moved, seconded and

VOTED: To recommend that the Board approve the establishment of a joint Baccalaureate degree program in International Hospitality Management in cooperation with HOTELCONSULT of Geneva, Switzerland. (Doc. T90-027A)

There was then the annual Undergraduate Admissions and Financial Aid Reports. Provost Bratt gave the report of the Worcester campus. Regarding admission, the major concern on the Worcester campus was the recruitment of minority students. The Medical School is losing students to schools that offer better scholarships and loans.

Another problem is the lack of funds for recruitment. The campus has had to diminish the personalized orientation program for applicants that was offered in the past. Counseling services have been reduced and applicants are being scared away by the financial instability of the State and the University. This discussion led to the subject of Tuition Waivers.

The campus would like to delegate the authority to approve need-based tuition waivers to the Chancellor based on the rate consistent with the Board of Regents Need based tuition waivers for undergraduates. The Chancellor could establish a rate for tuition waivers which would be equal to five percent of tuition charged a year rather than a specific dollar amount. It was moved, seconded and

VOTED: To recommend that the Board delegate to the Chancellor of the University of Massachusetts at Worcester the authority to approved need-based tuition waivers equal to five percent of tuition charged in a given academic year. (Doc. T90-027A)

Before the Amherst gave its report it was decided that because of time constraints, the Boston campus would give its Admissions and Financial Aid Report at the June Committee meeting. Provost Zompa then gave a brief Campus Report. The College of Arts and Sciences is in the process of establishing a Bachelor's degree in Electrical Engineering. This proposal will soon be coming to the Committee for action. He spoke on the on-going issue of Strengthening the Sciences and the progress the Chancellor's Advisory Committee has made. Their report is now in its last stages and will be submitted to the Chancellor in the near future.

The Admissions and Financial Aid Report from the Amherst campus was then discussed. It was reported by Mr. Rinehart, Director of Admissions, that freshmen applications for the Fall of 1990 were down by 17% from the previous year. A non-enroller survey was done to find why students were turning down the University and 50% responded that negative publicity about the University and the State affected their decision not to enroll at the University. Because of the drop in applicants, the University accepted a higher percentage of non-resident students and will aggressively seek more such students in the future.

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The picture for the Fall of 1991 looks a little brighter; as of this week there had been as many in-state applications as last year so they don't expect any significant drop in the number of in-state students entering the University from last year.

Attracting and enrolling students of color continued to be a top priority at the Amherst campus and there was a 14% increase in minority student enrollment from 1989. They contribute this to aggressive recruitment efforts such as a Phon-o-thon, increased scholarships and a Minority Student Search Service.

Mr. Sackett, Director of Financial Aid, then gave the Financial Aid Report. Funding this year for financial aid was increased due to the increased levels of Regents' Tuition Waiver Program as well as monies approved by the Board from the Trust Fund accounts. He then gave a break-down of a typical in-state student's budget for the year and where the money came from such as the Stafford Loan Program, the Perkins Loan Funds and Pell Grants. There is also a college work study program to help a student with books and living expenses.

While the future of the state's economy looks bleak, the Financial Aid Office is constantly looking for ways to help students meet their unmet need to attend the University.

The meeting then adjourned at 2:40 p.m.

Barbara DeVico
Staff Assistant

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**Minutes of the Meeting of the
Committee on Academic and Student Affairs**

Wednesday, October 2, 1991; 11:00 p.m.
Faculty Conference Room
University of Massachusetts
Worcester, Massachusetts

Committee and Committee Staff: Trustee Taylor, Acting Chair; Trustees Oakes, Pacheco and Vittimberga; Mrs. Fontaine, Administrative Secretary

Committee Members Absent: Trustees Chang and Reed

Other Trustees: Trustees Bogan, Finnerty, Karam, Lewenberg, Newnan and Winston

University Administration: President Fretwell, Chancellors Brazil, Hogan, Lazare, Penney and O'Brien

Trustee Taylor, in the absence of Trustee Chang, called the meeting to order at 11:13 a.m. President Fretwell welcomed those in attendance.

The first item on the agenda was **Reapproval of New Programs**. There were thirteen pending program proposals which had been approved by the previous Boards of Trustees and submitted to the Board of Regents. Following the reorganization, they were returned to the University for review. The Task Force on Academic and Student Affairs extensively re-evaluated and endorsed the programs.

Chancellor O'Brien spoke to the process used to arrive at the recommendation. Speaking to the doctoral programs in Nursing at Lowell and Amherst, he said the Regents had reviewed Nursing on a statewide basis and concluded that it was appropriate to have a D.N.S. at Lowell and also a Ph.D. at Amherst.

He also spoke to the Ph.D. in Electrical Engineering at University of Massachusetts Dartmouth, which will be the first doctoral degree at Dartmouth.

At the Chair's request, Chancellor O'Brien addressed the differences between the Lowell and Amherst Nursing Programs. The Amherst Ph.D. program will be more basic to the theory or practice of nursing.

Chancellor Hogan then reviewed the development of the Lowell program going back to 1981. That program is positioned more closely toward the practitioner than a traditional research activity.

There then ensued discussion and questions about the benefits to the Commonwealth, how many students will go through the program and stay in the region, and whether it is feasible and desirable to take all nursing programs and consolidate them.

Chancellor Lazare asked to go on record that the Worcester campus being the academic health center might be relooking at the nursing programs at Worcester. Chancellor Penney also indicated the possibility of the Boston Campus revisiting this issue.

Chair Oakes commented that he was surprised that the first group of programs that the Board looks at, since the consolidation of the University, all survived. He added that in an era of dwindling resources, the Committee is about to approve thirteen new programs and on the face of it that is difficult to justify. He then asked several questions: was there a cost analysis done for each of the programs, was there any prioritization of the programs? For example, if only five were approved, which five would they be. He also asked what the University was doing to allow for the costs of new programs?

President Fretwell indicated that it was his intention following this discussion to take another look at the process. He added that without predicting the final outcome, he believes more attention should be given to such factors as: a clear need for the program now and in the future; a definite indication where the needed resources will come from. Absent budget improvements, the University cannot go on absorbing new programs forever. What programs should be considered for discontinuation at least on one or more campuses. Tangible earmarks of quality using external evaluation, where appropriate, particularly but not necessarily exclusively in regard to doctoral programs. Finally, the relationship, particularly but not exclusively of professional programs to future placement actualities in relationship with the other campuses.

Trustee Taylor commented that he had some of the same concerns expressed by Chair Oakes. While it is very understandable that the University has to keep the process moving, the University's constituents, the Legislature, the public, does expect something to have changed.

He added that it is important to identify in all of these areas where we are pulling together, and that it is troubling to be contemplating four, maybe five, Ph.D. programs in nursing even though one is a D.N.S. He suggested that for all future program proposals, the question of the impact upon the entire University needs to be explicit and addressed. After further discussion, it was suggested that the Committee consider the programs separately by Stages and that the approval of Stage I programs should carry with it the mandate that before making a Stage II submission there be a clear showing of how the programs serve the entire University. It was moved, seconded and

VOTED: To recommend that the Board approve the following Stage I academic degree program proposals:

UMass-Amherst

B.S. in Biology
M.S. and Ph.D in Nutritional Science
Ph.D. in Hotel, Restaurant and Travel Administration
Ph.D. in Nursing

UMass-Boston

Ph.D. in Computer Science

UMass-Dartmouth

Ph.D. in Electrical Engineering
B.A. in Music
M.S. in Mechanical Engineering
M.A.T in Teaching

and,

That prior to submitting the Stage II proposals all programs should clearly identify how they will serve the entire University.

Chancellor Penney spoke to the specifics of the Stage II Ed.D. in Education and answered questions regarding related costs and resources associated with the program.

Chancellor Hogan in speaking to Lowell's Stage II proposals stated that Lowell has made clear statements on the resource issue as the campus moves to the graduate level and that it would be done by locking personnel costs into ratios. No additional funds are sought for the Doctoral Nursing Program, but the nursing faculty has developed a proposal to the federal government for enrichment start-up funds. In response to the question about what this program could add to the single university, he commented an enrichment at the practice of nursing.

Trustee Taylor voiced his unease about embarking down a path on programs without having the opportunity to fully understand our mission or the standards to be established to carry our mission out, but from the discussion he said he thought they were sound programs and will serve the entire university. It was then moved, seconded and

VOTED: To recommend that the Board approve the following Stage II academic degree program proposals:

UM-Boston

Ed.D. in Education

UM-Lowell

D.N.S. in Nursing

and further,

That these programs be implemented to serve the needs of the entire University. (Doc. T91-112)

The next item was approval of the Amherst **1991-1992 Affirmative Action Program**. Chancellor O'Brien said he thought the plan was a great improvement. He also explained the campus Special Opportunity Fund which is used to assist in the appointment of minority or women faculty. Counsel Searson suggested that for future plans the format be beefed up on its persuasive quality not for its substance.

It was moved, seconded and

VOTED: To recommend that the Board approve the 1991-1992 Affirmative Action Plan for the University of Massachusetts at Amherst as contained in Doc. T91-111.

The next item was **Appointment of Distinguished University Professors** at Amherst. After discussion, it was suggested that Chancellors review and develop a policy to recognize distinguished professors for the single university.

It was moved, seconded and

VOTED: To recommend that the Board concur with the President in the appointment of Dr. Keith Rayer, Dr. Richard J. Farris and Dr. Allen E. Ivey as Distinguished Professors at the University of Massachusetts at Amherst. (Doc. T91-104)

Next considered were the **Graduation Lists** at the Amherst campus. It was moved, seconded and

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VOTED: To recommend that the Board approve the February, May and September, 1991 graduations lists of the University of Massachusetts at Amherst subject to completion of all requirements as certified by the Recorder of the campus. (Doc. T91-105)

The final item on the agenda was the **Ph.D. in Language, Writing and Culture**. Trustee Taylor said he was impressed with the program and its uniqueness to serving the University's needs. It was moved, seconded and

VOTED: To recommend that the Board approve the establishment of the Ph.D in Language, Writing and Culture at the University of Massachusetts at Boston as contained in Doc. T91-113.

There being no further business to come before the committee, the meeting adjourned at 1:10 p.m.

Cynthia A. Fontaine
Secretary to the Board of Trustees

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MINUTES OF THE MEETING OF THE COMMITTEE ON ACADEMIC AND STUDENT AFFAIRS

Wednesday, December 4, 1991; 12:00 p.m.
250 Stuart Street
Thirteenth Floor Conference Room
University of Massachusetts
Boston, Massachusetts

Committee and Committee Staff: Chair Taylor; Trustees Oakes, Pacheco, Reed and Vittimberga; Mrs. DeVico, Staff Assistant

University Administration: President Fretwell; Chancellor O'Brien; Provosts Gordon, Safwat, Dalgleish and Bratt; Vice Chancellor Foy

Chair Taylor called the meeting to order at 12:09 p.m.

President Fretwell reported that the Academic and Student Affairs Task Force is in the process of developing a procedure within the University scrutinizing new programs which are proposed for agreement with the Higher Education Coordinating Council (HECC). This process, once in place, will help determine what programs are necessary and cost-efficient.

Chair Taylor then asked Professor Paroissien and Vice Chancellor Babcock to give a presentation by the Library Committee which has been formed to review and recommend to the Task Force, the strengths and needs of the libraries of all five campuses. A more comprehensive report will be made to the Committee in February. Professor Paroissien then spoke of the devastating effects the budget cuts were having on the campus libraries, our most important resource. In a recent study, Massachusetts was noted as being the state that gave the least money to its libraries.

Vice Chancellor Babcock spoke about the the Library Committees' goals which included identifying current strengths and weaknesses of the libraries as a system, addressing the fiscal structures as they affect the libraries and strategies for developing non-appropriated funds to help support the libraries.

Chair Taylor thanked Professor Paroissien and Vice Chancellor Babcock for their presentation and introduced the next item, Scholarly Misconduct Policy, UM/Amherst. Provost Gordon explained that this policy had come before the Committee last April. General Counsel Searson had suggested several revisions such as 1) making an administrator (instead of a committee) responsible for the final decision on whether misconduct had occurred; 2) avoiding having the Vice Chancellor assist either the respondent or complainant in the preparation of their case; 3) precluding the presence of attorneys in the formal hearing; and 4) limiting the application of the policy to graduate students rather than any students, since undergraduates' conduct is covered by another document. All of these changes have been incorporated into the current document. It was then moved, seconded and

VOTED: To recommend that the Board approve the Scholarly Misconduct Policy at the University of Massachusetts Amherst as contained in Doc. T91-035A.

The next item was Awards of Tenure, UM/Amherst and UM/Worcester. All individuals came with high recommendations and it was moved, seconded and

VOTED: To recommend that the Board concur with the President in the award of tenure to the following individuals:

Amherst:
MaryAnne Bright as Associate Professor of Nursing
Graham Gal as Associate Professor of Accounting

Worcester:
Steven N. Treistman as Professor of Pharmacology
Christie A. Holland as Associate Professor of Radiation Oncology and Molecular Genetics and Microbiology.
(Doc. T91-119)

The next item, **Appointment with Tenure**, UM/Amherst, was briefly discussed by Provost Gordon reporting that the candidate would be a highly valued teacher in the outstanding Department of Linguistics. It was moved, seconded and

VOTED: To recommend that the Board concur with the President in the appointment of Ellen Woolford as Associate Professor of Linguistics at the University of Massachusetts Amherst. (Doc. T91-120)

The next item, **Transfer of Tenure** at the Amherst campus involved a transfer from the Department of Professional Preparation in Physical Education to the School of Education where the individual and the School would both be better served. The transfer has the approval of both the departments and deans. It was moved, seconded and

VOTED: To recommend that the Board concur with the President in the transfer of tenure for Patricia Griffin from the Department of Professional Preparation in Physical Education to the School of Education at the University of Massachusetts Amherst. (Doc. T91-131)

The Affirmative Action Plan for 1991-1992, UM/Worcester, was then reported on by Provost Bratt. Some of the highlights of the year included: 1) The Equal Opportunity Office working closely with the Chancellor in the development of the Medical Center's Mission Statement; 2) the groundwork for the Women's Issues Committee to become a standing committee of the Medical Center; and 3) the Chancellor's proposals of progressive steps to increase the recruitment and retention of minority students and faculty members.

In terms of female students, the Medical School is well above the national average of 36-40 percent. The overall percentage rate is 48 percent; the entering class is 56 percent which is expected to increase. Chair Taylor inquired about the difficulty recruiting minorities because of a lack of scholarship funds. Provost Bratt said that this is something the campus is looking into.

It was then moved, seconded and

VOTED: To recommend that the Board approve the 1991-1992 Affirmative Action Plan for the University of Massachusetts Worcester as contained in Doc. T91-125.

Without discussion **Graduation Lists**, UM/Boston and UM/Worcester was then voted on. It was moved, seconded and

VOTED: To recommend that the Board approve the December, 1991 graduation lists at the University of Massachusetts

Boston, subject to completion of all requirements as certified by the Recorder of the campus.

and,

To award a Ph.D. Degree in Immunology/Virology from the University of Massachusetts Worcester to Elizabeth Eynon, subject to completion of all requirements as certified by the Recorder of the campus.

Chancellor O'Brien then gave a report of the Task Force on Academic and Student Affairs. In meeting to establish goals and develop policies and procedures between the five campuses, the Task Force felt that there was no need for all Student Affairs policies to be the same, that policies should respond to the needs of the particular campus. It was also agreed that all policies be reviewed with the General Counsel for issues of legal policy and liability.

He spoke further of the need for a well defined policy for the approval of academic programs. The task force is working closely with the Higher Education Coordinating Council staff members to develop a University policy which is in its second draft. Chair Taylor stressed the need to find out what standards and policies we apply internally to make sure that we are approving only the programs we want to approve and how they fit in with what the state is doing as a whole.

The Task Force is also looking at the issue of long distance learning efforts (MCET, video, data networks). The School of Engineering has several of these programs in place. A technical group composed of deans of the schools/departments of engineering are developing a strategy for the expansion of technology and teaching to other schools and departments.

Financial Aid is an urgent issue the Task Force is working on due to the consolidation of UMass with Lowell and Dartmouth. The new UMass must be certified and determined as eligible to receive Title IV funds. The application has been submitted and a technical group of Financial Aid Directors is meeting to address these concerns and report back to the Task Force.

The Task Force is also working on the ability of students to transfer among campuses, either by course by course, by semester or on a permanent basis. A group of transfer admissions officers and registrars will meet and prepare a strategy for implementation of a cross campus program.

Additional issues the Task Force is working on include a joint admissions process, advantages of faculty exchange and the policy of issuing tenure. The Committee will be updated on all these issues at the February meeting. Meanwhile, the Task Force would like the Trustees to attend informational workshops so that the Trustees better understand these issues as well as hearing from them what topics they would consider useful.

Chair Taylor commended the Task Force for the important work they are doing and asked that the Committee be kept informed on their progress.

There being no further business, the Committee adjourned at 1:25 p.m.

Barbara DeVico
Staff Assistant

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Minutes of the Meeting of the
Committee on Administration and Finance
Wednesday, October 2, 1991; 1:00 p.m.
Faculty Conference Room
University of Massachusetts
Worcester, Massachusetts

Committee and Committee Staff: Chair O'Leary; Trustees Bogan, Flores, Lewenberg, Newnan and Oakes; Mrs. Fontaine, Administrative Secretary

Committee Members Absent: Trustees Poduska and Spence

University Administration: President Fretwell, Chancellor O'Brien, Chancellor Penney, Chancellor Brazil, Chancellor Hogan, Chancellor Lazare, Vice President Lenhardt and General Counsel Searson

Trustee O'Leary convened the meeting at 1:45 p.m. and called on President Fretwell to introduce the first item, the **FY1992 Budget**. He indicated that it includes the budgets for all campuses; Lowell and Dartmouth budgets having been approved by the former Boards. Vice President Lenhardt spoke to the budget which he said assumes there will be no more state reversions in the current year and no need to revisit student tuition and fees. He also stated that the budget shows the University is educating some 50,000 students and that quality programs continue to be offered throughout the University. He added that it is believed that University costs in terms of other peer type institutions are very competitive and that conversely tuition & fees are becoming non-competitive.

The Chancellors spoke about the steps the campuses have had to take to live within the budget.

In concluding discussion on this item, Trustee O'Leary stated that this is an excellent document. He added that as the summary indicates although there's been a revenue reduction of 12% from the state much of that revenue has been made up by increases in tuition retention and curriculum support fees. At the same time, the real concern is the declining level of maintenance and deterioration of the physical plant. It was moved, seconded and

VOTED: To recommend that the Board approve the FY1992 Operating Budget for the Amherst, Boston, Worcester campuses and the Maurice Donahue Institute and President's Office as contained in Doc. T91-101.

The second item on the agenda was the **FY 1993 Budget Request**. President Fretwell in speaking to this item mentioned the work of the five Task Forces in the areas of Budget, Financial Management, Academic and Student Affairs, Human Resources, and Information Systems. He then asked Chancellor Hogan, Chair of the Task Force on Budgets, to speak to the recommendation before the Committee.

Chancellor Hogan said that the Task Force started with the assumption that historical roles would continue with an overarching concern for the economic well being of the state. Some of the principles laid out included an understanding that the budget would have to be a publicly defensible request reflecting the realities of the present economic

situation in the state and, at the same time, making an honest statement about the new university which has been asked to bring itself to world class public status. It is a document that is guided by a principle that enrollments have, on average, in the University declined. There are some continuing concerns about the students' ability to pay and the demographics. At the same time, there is the question of those things which are not as closely coupled to enrollment and salary, for example the deferred maintenance, laboratory equipment, the library holdings. Those things campuses have to have even if you suffer 5, 10 or 15% change in enrollment. Finally, he said there was the question of knowing that the University had to come to grips with the issues of accountability, productivity, assessment, disclosure so as to impact the ultimate role of public support.

It was decided to recommend three areas. First, on the maintenance budget to add to the present $235 million dollar appropriation from the state eight categories identified university-wide: student access and retention, academic and research equipment, graduate student stipends, facilities maintenance, communications technology, campus cooperation and synergy, economic development projects and mandatory considerations, for an increase of under 13%. On special appropriations, it was suggested asking for noticeable improvement in financial aid and library holdings. Finally, there was a non-payroll inflation request.

The budget is focused tightly on the issue of protecting the academic integrity and helping to preserve the ability of the University to move on the competitiveness issue.

Several trustees commented about the salary levels and the lack of increases over the last several years and that the document did not address it. There was then a discussion on the implications, collective bargaining factors, and who, under the new legislation, is the employer.

Chancellor Hogan added that he thinks the University faces a real serious threat to having its talent raided in the foreseeable future. On the other hand, one of the first principles was that the document had to be publicly defensible under the current economic conditions and that across the board increases could not be defended at this time.

Trustee Flores said it was the trustees responsibility and it was important to send a signal to the Legislature, the Commonwealth and the Governor that additional funds are necessary and budgets should reflect that we have a responsibility to the employees. It was further suggested that the University acknowledge the economic climate and put forth its minimum recommended budget along with a supplemental part of the budget addressing the issue of payroll being sensitive to the collective bargaining process.

There was also expressed the sentiment that the University needs to be in a position to demonstrate by way of accomplishments that its working together as a five campus system. Several trustees expressed the need for accurate information and statistics to support what the campuses need and that the budget be projected out through 1994. Additional information requested included how productivity has increased, budget savings resulting from the consolidation, and the faculty/student ratio. In response to a question about a outside audit, Vice President Lenhardt responded that we have hired a firm to define the costs within the university. The Committee requested that the scope of services be provided to the committee for their review.

In conclusion, Chair O'Leary suggested that the Committee will over the next several months be reviewing a completed FY1993 budget and recommended that the Committee adopt the budget as presented with the suggestion that the spirit of the discussion concerning the loss of faculty and issues related to salary be reflected in the language. It was further suggested that a draft of the document be circulated to the committee before its submitted to meet the state requirements. It was moved, seconded and

VOTED: To recommend that the Board approve the budget priorities, parameters, and assumptions contained in the preliminary FY1993 State Budget Request (Doc. T91-109).

and

To recommend that the Board approve the submission of a state budget request for the University of Massachusetts, the total of which will not exceed $285.4 million. The request shall include funding for the state maintenance appropriation of approximately $239.6 million, the state library special appropriation of approximately $1.2 million, matching student aid of approximately $2.1 million, McNair Reserves of approximately $1.2 million, state special priority funding of approximately $10.6 million, and budget options of approximately $30.7 million.

and further,

To recommend that the Board authorize the President to modify the request by incorporating Trustee concerns with particular emphasis on wages and deferred maintenance, and approve the final FY1993 State Budget Request in the amount of $285.4 million and based on the principles contained in Doc. T91-109, with any revisions that may be necessary.

The next item considered was **Funding for the Purchase of Two Biotech Park**.

There was a general discussion of the Foundation, its role and membership. It was moved, seconded and

VOTED: To recommend that the Board request the University of Massachusetts Foundation to purchase the Biotech II building for a purchase price not to exceed $14.5 million.

and,

To recommend that the Board authorize the University of Massachusetts at Worcester to utilize revenues from non-state accounts other than the Hospital Trust Fund to guarantee payments to the Foundation with regard to the purchase of and/or the lease of space in the Biotech II building.

and further,

To recommend that the Board approve the use of HEFA financing by the University of Massachusetts Foundation for the purchase of Two Biotech Park and authorize the President to request approval of this financing from the Higher Education Coordinating Council if this is necessary.

Trustee O'Leary, Chair, then asked for a motion to go into Executive Session to discuss **Audits**. It was moved, seconded and

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VOTED: To go into executive session.

The time was 3:40 p.m.

Trustee O'Leary voted for the motion as did Trustees Bogan, Flores, Lewenberg and Oakes.

The meeting adjourned at 3:50 p.m.

Cynthia A. Fontaine
Secretary to the Board of Trustees

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MINUTES OF THE MEETING OF THE COMMITTEE ON ADMINISTRATION AND FINANCE

Wednesday, December 4, 1991; 12:30 p.m.
250 Stuart Street
Trustees' Lounge
University of Massachusetts
Boston, Massachusetts

Committee and Committee Staff: Chair O'Leary; Trustees Lewenberg, Loh, Newnan, Spence, Bogan and Flores; Mrs. Fontaine, Secretary to the Board of Trustees

Other Trustees: Trustees Pacheco, Karam, Finnerty, Foley, and Winston

University Administration: President Fretwell; Chancellors O'Brien, Penney, Brazil, Hogan, and Lazare; Vice President Lenhardt and General Counsel Searson

Chair O'Leary convened the meeting at 12:40 p.m. The first item on the agenda was the **FY1992 Group Practice Plan Budget**. Mr. Greene, the Executive Director of the Group Practice gave an overview of the budget. This budget represents a 6.7% ($68 million) increase over last year's revenues and expenditures ($68 million). There is a shortfall which will be taken out of the educational funds in departments having that shortfall. It was moved, seconded and

VOTED: To recommend that the Board approve the FY1992 Group Practice Plan Budget as contained in Doc. T91-024.

The next item on the agenda was to grant **Diplomas in University of Massachusetts Name** to previous graduates. President Fretwell said that it has been the custom in other cases when institutions change sponsorship that individuals who graduated earlier request to receive diplomas with the new institution's name. It was moved, seconded and

VOTED: To recommend that the Board authorize the Lowell and Dartmouth campuses to offer diplomas in the name of the University of Massachusetts to previous graduates; and, further, to approve a printing and handling fee of $25 per diploma. (Doc. T91-128)

The next item considered was the approval of three **Leases at Worcester** for expanding the child care services and cosmetic surgery. The Norton office space is being provided and provision of office space for three and a half years at minimal cost. After further discussion, it was moved, seconded and

VOTED To recommend that the Board authorize the Chancellor of the Worcester campus, with approval of the Division of Capital Planning and Operations, to lease for five years 2,900 square feet of space at 116 Country Boulevard in Worcester for the purposes of expanding the Child Care Services program.

And,

To authorize the Chancellor of the Worcester campus, with approval of the Division of Capital Planning and Operations, to lease for five years 2,400 square feet of space at 512 West Main Street in Shrewsbury to accommodate the increase in outpatient services in Cosmetic Surgery.

And further,

> To authorize the Chancellor to accept a gift of approximately 50,000 square feet of leased space from the University of Massachusetts Medical Foundation for a three year period. (Doc. T91-128)

The next item was a proposal from the Boston campus to explore the feasibility of providing limited Housing. Chancellor Penney said that surveys of UMass/Boston students have shown that there is a need for housing and the proposal is a way to respond to these needs. Two groups in particular that need housing are foreign students and inner city students in the academic enrichment program. The Chancellor assured the Trustees that the campus would remain a commuter campus.

The plan would be to have the Building Authority help provide the campus with two hundred rooms in an existing Boston area dormitory and work a more formal rental arrangement with Harbor Point. This would be a trust fund and funded by the users.

The Building Authority's role was discussed as well as the number of existing dormitory spaces not being utilized within the University.

Chair Oakes indicated this was an important policy question and expressed concern that there be further examination of programs being offered at other UMass campuses and the potential for utilization of vacant dormitory space.

Chair O'Leary said that the campus request is to enter into a feasibility study, at no cost to the campus, in response to a need on campus. He said that Chancellor Penney would carry back the comments and concerns of the Trustees. He added that the Building Authority is a convenient mechanism and thought it appropriate for the committee to get an update on the Authority and who participates in its activities.

After further discussion, it was suggested that the campus first report back whether the plan was feasible or not and no agreement should be entered into, and second the feasibility study be expanded to consider programs and vacancies that currently exist on other campuses. Trustee Oakes also suggested the campus talk to private institutions, but rather than leasing dormitory space, have the institution make that dormitory available to the students. It was moved, seconded and

> VOTED: To recommend that the Board authorize the Chancellor of the University of Massachusetts Boston to request the University of Massachusetts Building Authority to explore the feasibility of leasing appropriate space in the greater Boston area as a pilot housing program for students of the Boston campus, all as more fully described in Doc. T91-122. Said study shall include an inventory of all dormitory rooms available within the University for possible utilization. Further, that said Chancellor shall submit to the Board of Trustees for its February 5, 1992 meeting a business plan detailing the feasibility of such a program, together with requests for all appropriate trust funds, fees and budget to operate such a program.

The next item considered was an amendment to a vote taken October 2nd for Biotech Park in Worcester. This amendment would allow the UMass Foundation to approve the use of financing through Mass Industrial Finance Authority (MIFA). The previous vote limited the financing to HEFA.

It was moved, seconded and

VOTED: To recommend that the Board amend the October 2, 1991 vote of the Board of Trustees with respect to funding for the purchase of Two Biotech Park, as follows:

To approve the use of HEFA or MIFA financing by the University of Massachusetts Foundation for the purchase of Two Biotech Park and authorize the President to request approval of this financing from the Higher Education Coordinating Council if this is necessary.

The next item was to authorize the **Worcester Campus** to proceed with the Commonwealth's Collaborative proposal to preserve non-acute services for the neediest citizens of Worcester. Gail Frieswick, Director of the Hospital, briefly spoke about the background of the situation with Worcester City, the financial problems facing the city, and efforts which have led to the proposed collaborative.

Before the committee, was a request to approve the conditions listed in the memo of understanding, authorization to file legislation to create a University of Massachusetts Chapter 180 Corporation, authorization to receive property, and authorization to initiate capital funding up to 6.5 million dollars.

She added that the Hospital required that several conditions be met before the Board acts, including agreement about the rates.

Trustee O'Leary commended the staff for doing an excellent job in putting the issues forward. He also added that unless and until it is certain there is no liability and/or additional debt or cost to UM/Worcester, he suggested not advancing this item. After further discussion, the item was tabled until the Board Meeting in anticipation of an agreement on the rates.

The next item was the **Health Services at Boston**. This item was placed on the agenda by Trustee Loh and Trustee O'Leary said it has received extensive discussion by the Committee. He added that as chair he feels strongly this is an appropriate item for the Chancellor to resolve.

Trustee Loh said this has been an issue on campus. His concern specifically related to the process and lack of student input and involvement in the recommendations.

The **Task Force Interim Reports** were then discussed. Chancellor Hogan who chairs the Budget Task Force spoke about two issues the group had to work on: deveoping a formula based funding technique and producing an FY93 budget request for the state appropriation.

Chancellor then reviewed the Budget Task Force interim report. He said there are three ways to look at the the document. The first is as a proposal for addressing the fundamental issue of pursuing public and to some extent private money. This involves developing an integrated system starting with campus and University mission statements that include measurable goals. The next step is to determine what resources are present and put a process in place which would map out ways to get to those defined goals. Once that is done, it is then possible to take measurements of the steps taken to reach those goals and speak of them in a public way to build accountability.

The second way to look at the document is as a way of pursuing five priority areas. Develop a technique for accountability that is as clear and persuasive as possible; create a request for state funding that is framed in terms of overall financial needs of the University; work to counter misconceptions about the University; and enhance Trustees involvement in the integrated planning/budgeting process.

Another valid way to look at the document is as a guide for the President and staff to providing the Trustees with the material and background needed in order to take four fundamental actions:

1. establish goals with measurable benchmarks,
2. determine the amount of resources that are going to be necessary to reach those measurable points and goals,
3. put the Board in a position to select between alternatives once the real resources are known,
4. take action on a variety of fiscal issues and policies that will arise.

Trustee Oakes added that this effort will be extremely valuable to the University and one he's delighted to see.

Chancellor Penney then gave a brief presentation of the Financial Management Task Force Interim Report. She said the goals of the committee were to look at a system to be put in place to provide both the best possible management of the University's resources and necessary accountability. The report stresses that Trustees set policy and that implementation and day to day management is at the campus level.

She added that there are several subgroups of the Task Force including Treasurers, Comptrollers, etc. The final report will outline the need for common data to make it easy to manage financial systems, a financial records system and single payroll system, consolidated accounting information, and a common cost management system. This information will allow the Board to see the University budget as one institution.

Vice President Lenhardt then informed the Board that the FY1993 Budget request approved in October had been forwarded to the HECC. The Council recommended a reduction in the University's request from $285 million dollars to $266 million dollars. The proposed request as approved by the Trustees will soon go forward entact to the Governor and Budget Bureau with the Higher Education Coordinating Council's recommendations.

Trustee Oakes added that it is important that this Board fight for the budget document submitted. The document presented was carefully thought out; a number of items could have been put in the budget and were not. It was an essential bare bones budget for the institution. He hoped the Board would be organized with assignments to go out and advocate that it is a fundamental responsibility of the state to fund its public university to help in the state's recovery.

Vice President Lenhardt alerted the Committee that the State, in negotiations with the Federal Government, raised the Fringe Benefit Rate. This rate is also imposed on non-state accounts retroactive to July 1, 1991. The rate increased from 25% to 29%, plus workman's compensation has been removed from the rate.

The next item was a discussion of the Mullins Arena. Vice Chancellor Page distributed information about the funding and capital appropriation process. The facility is approximately forty percent completed, with the target completion date set for August, 1992. He spoke about the possibilities related to revenues to be generated. Trustee O'Leary suggested giving the serious consideration to private management of the arena. Trustee O'Leary asked that the RFP for the management of the arena be submitted to this committee before it is issued.

Trustee O'Leary then asked for a motion to go into executive session to discuss Audits and Litigation. It was moved, seconded and

VOTED: To go into executive session.

The time was 3:10 p.m. Trustee O'Leary voted for the motion as did Trustees Bogan, Flores, Lewenberg and Spence.

There being no further business to come before the Committee, the meeting adjourned at 3:20 p.m.

Cynthia A. Fontaine
Secretary to the Board of Trustees

2/1

UNIV. OF MASS.

JAN 23 1992

UNIVERSITY OF MASSACHUSETTS

MINUTES OF THE MEETING OF THE
AFFIRMATIVE ACTION COMMITTEE

Tuesday, January 8, 1991; 12:00 noon
Trustees' Lounge
250 Stuart Street
Boston, Massachusetts

Committee and Committee Staff: Chair Reed, Trustees Dicara, Haynes and McBay; Mrs. DeVico, Staff Assistant

Committee Members Absent: Trustees Huguenin and Mahoney

Other Trustees: Trustee McQuilken

University Administration: President Duffey; Vice Presidents Lenhardt and Tribble; General Counsel Searson

UM/Amherst: Ms. Chambery, Acting Director of Affirmative Action; Professor Kinney, Faculty Representative

UM/Boston: Chancellor Penney; Dr. Horten, Acting Director, Affirmative Action

UM/Worcester: Mr. Wells, Director, Affirmative Action:

Chair Reed called the meeting to order at 12:03 p.m. and welcomed Professor Harold Horten, Acting Director of Affirmative Action at the Boston campus She then asked the campuses to report on the Current Budget Impact on Affirmative Action.

Chancellor Penney spoke of a committee she had formed a year ago to study this issue. She then passed out a report they had prepared listing several recommendations on how to meet the affirmative action needs on the Boston campus. She indicated that in spite of severe budget cuts, this year has had the highest minority percentage and the goal was to hold on to that. The percentage of minority faculty also remained very high and has increased 14.7 percent since 1985.

Chair Reed stated that the Committee needed more time to study this report and there would be further discussion..

Mr. Wells, Director of Affirmative Action at the Worcester campus then gave his report. He talked about the reallocation program the Worcester campus had formed in 1989 due to the budget crisis. In addition to this program, Dr. Lazare had appointed a group to study the impact of further reductions. That group is in the process of working out a plan to deal with this problem particularly at the Medical School.

He also reported that the percent of minorities at the Medical School is now five percent and the Director of Minority/Student Affairs last year travelled around the state trying to recruit minority students to improve that figure. Science courses for high school students are also being offered so that they may be better prepared to apply to the Medical School.

Ms. Chambery, Acting Director of Affirmative Action then gave her report for the Amherst campus. At the request of Provost O'Brien, an Advisory Board has been studying the impact of the proposed program reductions and terminations and how this will impact Affirmative Action particularly the graduate students at the School of Education. This

2/1 Affirmative Action

JAN 2

issue is still before the Faculty Senate and there is more time needed before this issue comes before the Board.

Chair Reed asked that the next agenda item, Impact of Tuition and Fee Increases on Minority Students be reported on every three and a half to four months so that the Committee can monitor this situation.

At 12:40 p.m., Chair Reed asked for a motion to go into executive session to discuss collective bargaining and a litigation issue. On roll call, it was moved, seconded and

VOTED: To enter executive session.

At 1:09 p.m. the Committee reconvened in open session. The Committee then moved, seconded and

VOTED: To recommend that the Board approve the 1990-91 Affirmative Action Plans at the Amherst and Worcester campuses. (Doc. T91-002)

There being no further business to come before the Committee, the meeting adjourned at 1:13 p.m.

Barbara DeVico
Staff Assistant

UNIVERSITY OF MASSACHUSETTS

MINUTES OF THE MEETING OF THE COMMITTEE ON
BUDGET AND FINANCIAL AFFAIRS

Tuesday, February 5, 1991
Thirteenth Floor Conference Room
250 Stuart Street
Boston, Massachusetts

Committee and Committee Staff: Chair O'Leary; Trustees Carlin, DiCara, Haynes, Reed and Walsh; Mrs. Fontaine, Administrative Secretary

Committee Members Absent: Trustees Bowman and Teixeira

Other Trustees: Trustees Canina, McQuilken and Zervas

University Administration: President Duffey; Vice President Lenhardt and General Counsel Searson

UM/Amherst: Vice Chancellor Page; Professor Schumer, Faculty Representative

UM/Boston: Chancellor Penney; Vice Chancellor MacCormack; Professor Tager-Flusberg, Faculty Representative

UM/Worcester: Chancellor Lazare; Deputy Chancellor Van Etten; Dr. Cooke, Faculty Representative

Chair O'Leary convened the meeting at 2:15 p.m. and asked Vice President Lenhardt to speak about the proposed Weld-Cellucci Emergency Plan for Fiscal Recovery. Significant issues for the University include a 1% cut in FY'91 required of all campuses, a two week furlough of "state employees", expectations related to tuition waivers, additional cuts in education in FY'92 of $108 million, elimination of cooperative extension, (except 4H programs,) and a change in loan programs.

Turning to the agenda, the Committee considered the FY'91 Financial Report, noting that for the first time there are available draft financial statements for the three campuses and President's Office. Vice President Lenhardt thanked Ms. Wanczyk and her staff for their efforts. He emphasized that funds are not transferable between trust funds.

The Committee discussed at length the financial picture of the University and stressed that with a new administration we now have the opportunity to encourage change, which could allow flexibility. Chair O'Leary urged campuses to present the Committee with suggestions on how the University could transfer among accounts.

The Committee then considered the FY1991 Operating Budget which Vice President Lenhardt spoke to. He indicated that the budgets are as of December 31, 1990 and do not reflect cuts as proposed by the Weld Administration. He emphasized that the FY1991 budget reflects the University absorbing $45 million in fringe benefit costs and that instruction, research and student service expenses are continuing to decrease. He also stated that tuition increases and curriculum support fees have replaced only 25% of the loss of State appropriations.

It was moved, seconded and

VOTED: To recommend that the Board approve the FY1991 Operating Budget as contained in Doc. T91-003.

Trustee DiCara commented that the budget is approved as a duty and this does not reflect enjoyment of the numbers presented therein.

Next on the agenda was the Treasurer's 1991 Investment Report, which was for discussion only. Vice President Lenhardt indicated investment results produced 35% of the growth in revenues in our investments. He commended the Treasurer's Office staff for their efforts. The Committee asked that the Foundation comment on the Treasurer's report and role of the Foundation.

The next item on the agenda was the Cash Management Policy which piggybacks on the investment report.

Highlights of the policy include a change in the University's practice of utilizing banks as the primary repository of cash investments; movement to U.S. Treasury and Federal Agenda investment vehicles; utilization of money market mutual funds invested in U.S. Treasuries and government agencies; use of variable interest rates when necessary; diversification of bank relationships; and accelerated use of longer term instruments.

The Committee discussed this item in detail and expressed concern that the current investment restrictions criteria limits investments to only tow Massachusetts banks. The Committee would like to keep money as close to home as possible within a prudent policy, and would like further discussion of this item in April.

Non-State Fund Expenditure Report was the next item on the agenda and was for information only.

Deputy Chancellor Van Etten addressed the next item, Determination of Need for the University Hospital. The Medical Center Hospital has substantially reduced it's original request filed in 1989. The new Determination of Need involves a new psychiatric wing with 131 beds, a new pediatric pavilion with 60 acute beds. The DON also involves building a new ambulatory building adjacent to the Ambulatory Annex, hopefully to be constructed this summer. The total construction cost is approximately $90 million dollars, and with financing, construction and other project costs the total is $120 million. Of that total cost, the state is scheduled to pay $18 million, which is half of the cost of the psychiatric wing. The Medical Center has proposed paying $20 million and the remainder would be financed with bonds through the HEFA program.

Deputy Chancellor Van Etten then gave the background of the next item, Tri-River Lease Guaranty. The Tri-River Family Health Center is an outreach program of the Medical Center, which provides primary medical care to the southern Blackstone Valley.

The Center is currently housed in a 6,000 square foot building and because of demand for services would like to add 12,000 square feet to the current facility. It was proposed that the Chancellor negotiate a guarantee of financing to be obtained by the Tri-River Development Corporation for construction of additional space at Tri-River Health Center. Although the Committee looked favorably on the request it asked that action be deferred until the April meeting. The Committee asked for additional information concerning the impact of the expansion on community hospitals in the area, as well as financial and programmatic analysis.

The next item was a request for a change to the statement of trust for the Allied Health Trust Fund at the Medical Center. The new language would allow for the collection of fees for campus-based non-degree certificate programs as well as non-campus-based programs.. It was moved, seconded and

VOTED: To recommend that the Board amend the Allied Health Trust Fund vote as follows:

By striking out the following:

To establish the University of Massachusetts/Worcester Allied Health Trust Fund, which shall have as its purpose the providing of services in non-physician health science programs in collaboration with other institutions of higher learning within the Commonwealth as outlined in Doc. T81-049.

The costs of the operation and maintenance of this self-supporting program shall be recovered from fees charged to users of the program and any other appropriate non-state funding sources;

and inserting in place thereof the following:

To establish the University of Massachusetts/Worcester Allied Health Trust Fund, which shall have as its purpose the providing of services in non-physician health science programs in collaboration with other institutions of higher learning within the Commonwealth and the offering of non-degree certificate programs in the Allied Health professions.

The costs of the operations and maintenance of this self-supporting program shall be recovered from fees charged to collaborative institutions and/or individuals in campus-based Allied Health certificate programs. (Doc. T81-049A)

The next item was a request for Approval of an Overscale Salary for Virginia Lichlytor, the Administrator for Decision Support Services at the Hospital. It was moved, seconded and

VOTED: To recommend that the Board approve an overscale salary of $65,000 for Virginia Lichlyter as Administrator for Decision Support Services at the University of Massachusetts at Worcester. (Doc. T91-016)

Chair O'Leary then asked for a motion to go into Executive Session to discuss Audits. At 3:40 p.m. it was moved, seconded and

VOTED: To enter Executive Session.

Chair O'Leary voted for the motion as did Trustees Carlin, DiCara, Haynes, Oakes, Reed and Walsh.

The meeting adjourned at 4:05 p.m.

Cynthia A. Fontaine
Administrative Secretary
to the Board of Trustees

2/1 Budget & Financial Affairs

UNIV. OF MASS.
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MAR 26 1991

UNIVERSITY OF MASSACHUSETTS

MINUTES OF THE MEETING OF THE
COMMITTEE ON BUDGET AND FINANCIAL AFFAIRS

Tuesday, April 2, 1991; 2:00 p.m.
Trustees' Lounge
250 Stuart Street
Boston, Massachusetts

Committee and Committee Staff: Chair O'Leary; Trustees Bowman, DiCara, Haynes, Reed and Walsh; Mrs. Fontaine, Administrative Secretary

Committee Members Absent: Trustees Carlin and Teixeira

Other Trustees: Trustees Baker, Canina, Huguenin and McQuilken

University Administration: President Duffey; Vice President Lenhardt; General Counsel Searson

UM/Amherst: Provost O'Brien; Vice Chancellor Page; Professor Schumer, Faculty Representative

UM/Boston: Chancellor Penney; Vice Chancellor MacCormack; Professor Tager-Flusberg, Faculty Representative

UM/Worcester: Chancellor Lazare; Dr. Cooke, Faculty Representative

Trustee O'Leary, Chair convened the meeting at 2:15 p.m. The first item on the agenda was FY1991 Mid-Year Reviews. Vice President Lenhardt commented that the State appropriations had been cut again since the materials were prepared. The campus representatives then gave brief overviews of the financial picture for the campuses since the operating budget was prepared.

The next item for consideration was the FY92 Student-Fee Based Budgets. At Amherst, the mandatory fee increases for FY92 total approximately 4% for undergraduates and 4.3% for graduate students. No increase in the Curriculum Support Fee is requested at this time, but it will be reviewed once FY92 tuition rates have been set.

The Athletic Fee at the Amherst campus was discussed. Noting that there was an Athletic Committee meeting following this meeting, it was suggested that action on the Athletic fee be deferred until that meeting.

The Boston campus proposed no increases in the current mandatory fees but proposed that the curriculum support fee be annualized at $600 per semester.

The Worcester campus also requested an increase in the Curriculum Support Fee of $450 ($750 per year), including students entering in the fall of 1991. For students entering in the fall of 1992, and beyond, the fee would be $1,000. An amendment was made to maintain the fee at the $750 level for all students. The amendment was defeated on vote 3:2:1. The FY92 Student Fee Based Budgets were moved, seconded and

VOTED: To recommend that the Board approve the FY92 Student Fee-Based Budgets and other fees contained in Doc. T91-024.

And,

Trustee Haynes is recorded as opposed.

The Committee then considered Revisions to the Statements of Trust for the Curriculum Support Fee at Worcester and Instructional Trust Fund at Amherst. It was agreed to apply the provisions of the Instructional Trust Fund to the Boston campus. It was moved, seconded and

VOTED: To recommend that the Board approve a revised Statement of Trust and Purpose for the Curriculum Support Fee at the University of Massachusetts at Worcester as contained in Doc. T91-024 and to amend said program statement by adding in line 8 after the words faculty salaries "as they relate to education".

And further,

VOTED: To recommend that the Board approve a revised Statement of Trust for the Instructional Trust Fund at the University of Massachusetts at Amherst and Boston by deleting "...; provided, however, that no other personnel costs nor capital equipment shall be supported by said Trust Fund. (Doc. T77-103A)

Vice President Lenhardt gave a preliminary overview of what might occur in the FY1992 State budget and the implications for higher education.

The Committee then considered the University Cash Management Policy which had been revised as a result of concerns raised at the February meeting. It was moved, seconded and

VOTED: To recommend that the Board approve the University Cash Management Policy as contained in Doc. T91-004A.

The Committee then discussed an addition of $510,000 to the existing Line of Credit for the Purchase of the Hadley Farm. The Committee requested additional information prior to the Board meeting concerning the total cost of the purchase and renovations.

At the February meeting, the Committee delayed action on a request to authorize the Chancellor of the Worcester campus to negotiate a guarantee of financing from the Hospital Trust Fund for construction of an addition to the Tri-River Health Center. It was moved, seconded and

VOTED: To recommend that the Board authorize the Chancellor of the Worcester campus to negotiate a guarantee of financing to be obtained by the Tri-River Development Corporation for construction of approximately 16,800 gross square feet of additional space at the Tri-River Health Center and, further, to authorize the Chancellor, subject to approval by the Division of Capital Planning and Operations to lease said space on behalf of the University of Massachusetts at Worcester for expansion of the Tri-River Health Center. (Doc. T81-106, Addendum l)

Discussion of the Capital Plans for the University Hospital was deferred until the June meeting because of the lateness of the hour.

Chair O'Leary then asked for a motion to go into Executive Session to discuss Audits. At 4:23 p.m. it was moved, seconded and

VOTED: To go into Executive Session.

Chair O'Leary voted for the motion as did Trustees Bowman, DiCara, Haynes, Reed and Walsh.

The Committee then moved, seconded and

VOTED: To express its appreciation and gratitude to University Treasurer Robert H. Brand for his twenty-seven years of dedicated service to the University of Massachusetts and to wish him well in his retirement.

and,

To establish the position of Vice President for Management and Fiscal Affairs and University Treasurer, and that Stephen Lenhardt be authorized to act as Treasurer of the University effective May 6, 1991 and to exercise any and all authority delegated to the Treasurer of the University. Further, effective the date of Mr. Brand's retirement, that Stephen Lenhardt be appointed to the position of Vice President for Management and Fiscal Affairs and University Treasurer. (Doc. T91-039)

The meeting adjourned at 5:15 p.m.

Cynthia A. Fontaine
Administrative Secretary to the
Board of Trustees

2/1 B.A.E.A. Conv.

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MAY 30 1991

UNIVERSITY OF MASSACHUSETTS

MINUTES OF THE MEETING OF THE COMMITTEE ON
UNIVERSITY RELATIONS AND DEVELOPMENT

Tuesday, January 8, 1991; 10:00 a.m.
Trustees' Lounge
250 Stuart Street
Boston, Massachusetts

Committee and Committee Staff: Chair Baker; Trustees DiCara, Doherty, Haynes and McQuilken; Mrs. DeVico, Staff Assistant

Committee Members Absent: Trustees Bowman, Foley, Mahoney and Zervas

University Administration: President Duffey; Vice President Lenhardt

UM/Boston: Chancellor Penney

UM/Worcester: Chancellor Lazare

Trustee Baker, Chair, called the meeting to order at 10:10 a.m. There was a general discussion on Long Range Plans for Development at the three campuses. The Committee needed to look at where they were going in terms of public relations on each campus. There was discussion about the work GR/PR provided over the past year and if they or another group were needed in the future. Chancellors Penney and Lazare expressed their desire to bring back Bruce Flessner perhaps twice a year for one-on-one sessions and then meeting with the Committee.

Chancellor Penney spoke with enthusiasm of the Corporate Campaign group she has assembled including Robert H. Quinn, Stephen Sweeney, Joseph Kennedy and Agnes Cullinane. This is a corporate fundraising group very interested in helping the University.

Trustee Haynes stressed the need for each campus to establish a long-range development plan and act on it.

The University of Massachusetts Foundation was then discussed. The current set-up has all three campuses under the umbrella of one foundation. There was talk of the Medical Center establishing its own Foundation. Chancellor Lazare spoke about a group of leading businessmen in Worcester forming their own Foundation to help the community. They also want harmony within the city and hospital and to keep health care costs down. This group wants very much to help the Medical Center as we are now the largest employer in central Massachusetts.

A separate foundation for UM/Boston was also discussed. The new corporate Campaign group formed at the UM/Boston may want to manage the money they've raised within their own foundation with its own Board.

There was discussion about the current Foundation set-up changing to better serve each campus. It was suggested that more members may need to be added to the Board of Directors from the Boston and Worcester area. It was the consensus of the Committee that this issue be further discussed after each campus examines its own needs for the future.

Allocations from Trustee Reserve for Special Development projects was the next topic of discussion. There was a general discussion on how the money is spent and what may be needed for future developmental efforts.

2/1 U.R.& D. comm.

JAN 2

In summary, the Committee decided that they would bring back Bruce Flessner to meet with staff from each of the three campuses, then with the Board, that the Worcester campus would look into developing its own Foundation and Boston would use the current structure for the time being and that the Administration would bring back a recommendation on how Trust Fund Interest money should be used in general and whether or not the current policy be changed.

It was also decided that each campus do a spot check on how they are doing in hiring and in terms of goals so they can revise plans or maybe take some of the money they didn't use in salaries and come back with a proposal on how that money is going to be spent.

The meeting adjourned at 11:50 a.m.

Barbara DeVico
Staff Assistant

UNIVERSITY OF MASSACHUSETTS

MINUTES OF THE MEETING OF THE COMMITTEE ON
UNIVERSITY RELATIONS AND DEVELOPMENT

Tuesday, April 2, 1991
Thirteenth Floor Conference Room
250 Stuart Street
Boston, Massachusetts

Committee and Committee Staff: Chair Baker; Trustees Foley, Haynes and McQuilken; Mrs. Fontaine, Administrative Secretary

Committee Members Absent: Trustees Bowman, DiCara, Doherty, Mahoney and Zervas

Other Trustees: Trustees Canina and Walsh

University Administration: Vice President Lenhardt

UM/Amherst: Vice Chancellor Melley, Professor Shumer, Faculty Representative

UM/Boston: Mr. Brill, Director of Development

UM/Worcester: Chancellor Lazare, Vice Chancellor Sherman

Chair Baker called the meeting to order at 11:35 a.m. The first item the Committee considered was to approve the use of the name University of Massachusetts in conjunction with the Foundation which has been established at the Medical Center. Chancellor Lazare then spoke about the development of the corporation.

After discussion of the Chancellor's role in the corporation, it was moved, seconded and

VOTED: To recommend that the Board authorize the University of Massachusetts Medical Center Foundation of Worcester to use the words "University of Massachusetts" as part of its corporate name, provided, however, that the corporation agree that the Board of Trustees may revoke such permission at its discretion and that, in such event, the corporation shall cease and desist from using the words "University of Massachusetts."

Further, to authorize and direct the Chancellor of the Medical Center to be a director of such corporation and to designate other University personnel to participate in the affairs of said corporation in whatever capacity the Chancellor shall determine.

Trustee Baker distributed the report of Bruce Flessner regarding the development programs at the Worcester campus. The Committee agreed to accept the report which will be discussed further at the June meeting.

Vice Chancellor Melley then asked to speak to the Committee concerning UR&D efforts related to the budget.

The meeting adjourned at 12 noon.

Cynthia A. Fontaine
Administrative Secretary
to the Board of Trustees

2/1 U. R & D. Committee

UNIV. OF MASS.
ARCHIVES

MAY 30 1991

UNIVERSITY OF MASSACHUSETTS

MINUTES OF THE MEETING OF THE
EXECUTIVE COMMITTEE

Tuesday, February 5, 1991; 4:00 p.m.
Trustees' Lounge
250 Stuart Street
Boston, Massachusetts

Committee and Committee Staff: Chair Oakes; Trustees Baker, Foley, O'Leary, Reed and Walsh; Mrs. Fontaine, Administrative Secretary

Committee Member Absent: Trustee McBay

Other Trustees: Trustee DiCara and McQuilken

University Administration: President Duffey; Vice President Lenhardt; Associate Vice President Tribble; General Counsel Searson

UM/Amherst: Provost O'Brien

UM/Boston: Chancellor Penney; Professor Tager-Flusberg

UM/Worcester: Chancellor Lazare; Deputy Chancellor Van Etten; Dr. Cooke, Faculty Representative

Chair Oakes convened the meeting at 4:00 p.m. and announced that in addition to the items before the Committee that Legal Services, UM/Amherst was being added to the agenda.

The first item on the agenda was Hospital Management Board Minutes. It was moved, seconded and

VOTED: To recommend that the Board approve the minutes of the October 25 and November 28, 1990 Hospital Management Board meetings including the June, 1990 audited financial statements and the September and October, 1990 unaudited financial statements and the appointments and reappointments to the Medical Center. (Doc. T91-011)

Next considered was a recommendation to revise the Board of Trustees' By-Laws to include the Vice Chair of the Board as a member of the Executive Committee. It was moved, seconded and

VOTED: To recommend that the Board approve a revision to the Board of Trustees By-Laws (Doc. T81-028C, as amended) by replacing Article III, Section 5, with the following:

"The Executive Committee shall be composed of the Chair of the Board of Trustees, the Vice Chair of the Board of Trustees, . . ."

President Duffey then asked Vice Chancellor Madson to speak about the process which began last summer.

Trustee McQuilken then emphasized that the process has been cooperative between administrators and students and that the resolution which will be put before the Committee is the result of that process.

Trustee DiCara also spoke to the item giving the background since 1987 when the Board rescinded all authorization for litigation. He indicated that the proposed recommendation would delegate to the Legal Services Center for two years limited litigation authority, specifically in the areas of landlord/tenant and Consumer Protection matters. Further, there is established an Advisory Board the intent of which is to be representative of outside lawyers as well as consumers to advise the Director of Student Activities on matters relating to the Legal Services Center.

General Counsel Searson then spoke to his sense of unease concerning this delegation of limited authority to bring suits on behalf of the University. The Committee then had a lengthy discussion about the recommendation. The Trustees present voiced their views about this issue both pro and con. The dispute resolution process was highly commended, but a number of concerns were expressed including the public relations perspective of having University employees initiating litigation.

Trustee Zervas pointed out that prior to this meeting the Academic and Student Affairs Committee had discussed this issue and voted to express its appreciation for the process by which this document was created.

The Committee listened to a number of students from the Amherst campus who spoke in favor of the proposal which they hoped would foster a whole new atmosphere on campus.

As a compromise, it was suggested that the Committee consider an amendment to the motion which would authorize the Legal Services Center to retain outside Legal counsel to represent individual students.

The students raised concerns about the funding and about the ability to fund affordable outside counsel. Chair Oakes in response volunteered to help find attorneys in western Massachusetts to donate their services to the students.

The motion as originally presented was moved, seconded. It was then amended to strike in the first sentence "Attorneys in" and add after "to" in the second line, "retain outside legal counsel" to . . .

After discussing the amendment among themselves, the students indicated that they did not support the motion as amended because funding was not available and their feeling was that the program would not work.

It was moved, seconded and

VOTED: To recommend that the Board authorize the Legal Services Center at the University of Massachusetts at Amherst to represent individual students in litigation and agency proceedings regarding solely landlord/tenant and consumer protection matters, provided, however, that this authorization shall not extend to litigation or agency proceedings against or involving the Commonwealth, its agencies or subdivisions, including municipalities and towns, or any officials, agents, servants or employees thereof, either individually or in their official capacity, insofar as the matter relates to their duties or employment. This authorization shall extend until June 30, 1993, and may be revoked by the Chancellor or his/her designee. After thorough review, the campus may request that the Trustees extend this limited

litigation authority.

Further, to authorize the Amherst campus Director of Student Activities in his/her discretion to establish an advisory committee (currently known as the Legal Services Board) to advise the Director on matters relating to the Legal Services Center, as the Director shall determine.

In all other respects, the Board or Trustees reaffirms its voice of August 31, 1987 regarding the Legal Services Center.

Trustees Baker, DiCara and Walsh are recorded as opposed.

The Committee then considered Cogeneration Plant at UM/Amherst. President Duffey suggested that since the campus could not guarantee the jobs of the current employees at the power plant, that the campus include in the RFP's to which potential contractors would be responding a question asking them to detail what provisions they would make for opportunities for current employees.

Trustee Haynes' concerns regarding this were two-fold: the assumption that contracting out saves the University money and approving a contract based on the low bidder's ability to depress wages and benefits. He stated he would like to see language that if the job descriptions are the same and if the people are qualified to perform the duties on the new facility that they be given priority for employment opportunities.

The Committee suggested that Trustees Haynes, Vice Chancellor Page and General Counsel Searson work out the appropriate language for the Board to consider at the Board meeting.

The Committee then considered the Alcoholic Beverage Policy at the Boston campus. It was moved, seconded and

VOTED: To recommend that the Board amend Doc. T91-005, the proposed Alcoholic Beverages Policy for the Boston campus, by:

(1) Amending the title to read "Alcoholic Beverages Policy University of Massachusetts at Boston";

(2) Deleting the Preface;

(3) Deleting from Section 4(a) the parenthetical reference "(Trustee Document, T75-015A)";

(4) striking from Section 5(a) the word "matter" and inserting in lieu thereof the word "policy";

(5) Striking the period after Section 6(e) and substituting therefor a semicolon; and

(6) Adding after the words "police officers" in Section 7 the following: - ", if any,";

(7) Renumbering the amended document as Trustee Document T91-005A.

And further,

To rescind Doc. T75-015A and to approve the Alcoholic Beverages

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Policy for the University of Massachusetts at Boston as contained in Doc. T91-005A.

Because of the lateness of the hour and previously scheduled commitments, the Chair at 5:15 p.m., recessed the meeting until 8:30 a.m. on February 6th in the Chancellor's Conference Room, University of Massachusetts at Boston.

Cynthia A. Fontaine

Cynthia A. Fontaine
Administrative Secretary to the
Board of Trustees

UNIVERSITY OF MASSACHUSETTS

MINUTES OF THE MEETING OF THE
EXECUTIVE COMMITTEE
RECONVENED FROM FEBRUARY 5, 1991

Wednesday, February 6, 1991; 8:30 a.m.
Chancellor's Conference Room
Quinn Administration Building
University of Massachusetts
Boston, Massachusetts

Committee and Committee Staff: Chair Oakes; Trustees Baker, DiCara, O'Leary and Walsh; Mrs. Fontaine, Administrative Secretary

Committee Members Absent: Trustees Foley, McBay and Reed

Other Trustees: Trustees Carlin, Haynes, McQuilken and Zervas

University Administration: President Duffey; Vice President Lenhardt; Associate Vice President Tribble; General Counsel Searson

UM/Amherst: Provost O'Brien

UM/Boston: Chancellor Penney

UM/Worcester: Chancellor Lazare; Deputy Chancellor Van Etten

Chair Oakes reconvened the meeting at 8:30 a.m. and the Committee considered the Scientific Misconduct Policy at the University of Massachusetts at Worcester. President Duffey explained that there is a new federal government requirement that institutions applying for or receiving research grants have in place written policies and procedures dealing with scientific misconduct. It was moved, seconded and

VOTED: To recommend that the Board approve the Scientific Misconduct Policy at the University of Massachusetts at Worcester as contained in Doc. T91-008.

The next item was Lay-Off Policy for professional employees at UM/Worcester. The recommended addition to the policy would give management more flexibility in using seniority strictly in a lay-off. It was moved, seconded and

VOTED: To recommend that the Board amend the Retrenchment Procedures of the University of Massachusetts at Worcester contained in Doc. T83-068 by striking out the paragraph in Section IV. I. 2. and inserting in place thereof the following:

"Classified and professional employees will be released next from affected job classification in accordance with job classification seniority. However, where necessary to maintain the effective functioning of a department, less senior employees may be retained."

Further, to renumber the amended document as Doc. T83-068A.

An amendment to the Code of Student Conduct at UM/Boston was then considered. The language change would eliminate reference to "Dean of Students" and substitute for it "Associate Vice Chancellor for Student Affairs". It was moved, seconded and

VOTED: To recommend that the Board revise the Code of Student Conduct at the University of Massachusetts at Boston (Doc. T87-037B) by deleting all references to the "Dean of Students" and substituting in its place the title of "Associate Vice Chancellor for Student Affairs".

The next item was to reapprove the existing President and Chancellor's Housing Allowances, in accordance with the requirements of the Executive Compensation Policy. It was moved, seconded and

VOTED: To recommend that the Board reaffirm the housing allowance for the President and the Chancellors as previously approved by the Board on June 1, 1988. (Doc. T87-032B)

Chair Oakes then explained the next item, Employment Contracts. He indicated that a group of employees at the Amherst campus have established a corporation to benefit the University. Because it has been formed by University employees, the State Ethics Commission has determined that it is a state agency. To clarify the conflict of interest questions, the it is necessary to approve language to be inserted in employee contracts and to approve the University's relationship with the corporation, Applied Computer Systems Institute of Massachusetts, Inc. (ACSIOM).

It was then moved, seconded and

VOTED: To append the following paragraphs to the contracts of faculty members of the University upon the approval of the President: The University of Massachusetts recognizes the responsibility of its multi-faceted public mission to assist in moving the results of research to industry as rapidly and effectively as possible. To encourage this outcome while protecting the integrity of the employee's commitment to the University, the following terms of employment, approved by the Board of Trustees, shall be incorporated in those employment contracts of University employees which are approved by the President:

Subject to Massachusetts General Laws Chapter 268A, Section 7, as amended, and in accord with the interpretation of the State Ethics Commission that "multiple contract restrictions of G.L. c. 268A do not apply when an employee's additional services and compensation are an expansion of the employee's primary employment contract" (EC-COI-88-10, June 14, 1988), the employee under this appointment may engage in technology development and transfer activities as an employee of the University or while working for and on behalf of a University affiliate.

Such employee may receive compensation and benefits from the development, commercialization, marketing, distribution, licensing and support of the work product provided:

1. The employee and his/her department head (or other designated unit) make prior written disclosure of the technology transfer project to the Vice Chancellor for Research, or other University officer designated by the Chancellor of the Boston or Worcester campus as appropriate.

2. The employee and his/her department head (or other designated unit) make written disclosure of and receive written approval for the nature and extent of the employee's planned participation

in the activity. Such disclosure will be made to and such approval must be given by the respective designated University officer.

3. Such participation shall not interfere with the employee's primary obligation to the University during the terms of his or her contract of employment. Should such an event occur, the University reserves the right to revoke approval of the employee's participation in the activity.

Further, to direct that the Board of Trustees approve the University's relationship with any University affiliate organization, and that the President on behalf of the University enter into a generic contract with a University affiliate organization, which contract shall include provisions for compensation to the University for inventions, discoveries, research, or other work product developed under the terms of a sponsored agreement entered into by the University or involving University funds, facilities (excluding libraries), equipment, materials or time. (Doc. T91-018)

Further, subject to the Union agreement, to delegate to the President the authority to extend this policy to other employees.

And,

VOTED: To recommend that the Board approve the University's relationship with the Applied Computer Systems Institute of Massachusetts, Inc. (ACSIOM).

Chair Oakes then asked for a motion to go into Executive Session to discuss Collective Bargaining. At 8:55 a.m., it was moved, seconded and

VOTED: To enter Executive Session.

Trustee Carlin voted for the motion as did Trustees Baker, DiCara, Oakes, O'Leary and Walsh.

The meeting adjourned at 9:15 a.m.

Cynthia A. Fontaine

Cynthia A. Fontaine
Administrative Secretary
to the Board of Trustees

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UNIVERSITY OF MASSACHUSETTS

MINUTES OF THE MEETING OF THE
EXECUTIVE COMMITTEE

Tuesday, April 2, 1991; 4:00 p.m.
Trustees' Lounge
250 Stuart Street
Boston, Massachusetts

Committee and Committee Staff: Chair Oakes; Trustees Baker, DiCara, Foley, McBay, O'Leary, Reed and Walsh; Mrs. Fontaine, Administrative Secretary

University Administration: President Duffey; Vice President Lenhardt; General Counsel Searson

UM/Amherst: Provost O'Brien; Professor Schumer, Faculty Representative

UM/Boston: Chancellor Penney

UM/Worcester: Dr. Lazare

Chair Oakes convened the meeting at 5:15 p.m. The first item on the agenda was consideration of the Hospital Management Board Minutes. Without discussion, it was moved, seconded and

VOTED: To recommend that the Board approve the minutes of the January 23, 1991 Hospital Management Board meeting including the November and December, 1990 unaudited financial statements and the appointments and reappointments to the Medical Center. (Doc. T91-011)

The Committee then considered actions related to the University Treasurer. It was moved, seconded and

VOTED: To recommend that the Board express its appreciation and gratitude to University Treasurer Robert H. Brand for his twenty-seven years of dedicated service to the University of Massachusetts and to wish him well in his retirement.

and,

To establish the position of Vice President for Management and Fiscal Affairs and University Treasurer, and that Stephen Lenhardt be authorized to act as Treasurer of the University effective May 6, 1991 and to exercise any and all authority delegated to the Treasurer of the University. Further, effective the date of Mr. Brand's retirement, that Stephen Lenhardt be appointed to the position of Vice President for Management and Fiscal Affairs and University Treasurer. (Doc. T91-039)

The Committee then considered the Governance Document for Undergraduate Education which had been extensively discussed at the meeting of the Academic and Student Affairs Committee. It was moved, seconded and

VOTED: To recommend that the Board approve the changes in the Governance Document for Undergraduate Education at the University of Massachusetts Medical School as contained in Doc. T79-042, Addendum 1 as amended.

The Committee then discussed the Scholarly Misconduct Policies at the Amherst campus which had been discussed at the meeting of the Committee on Academic and Student Affairs as a preliminary document. It was moved, seconded and

VOTED: To approve the Scholarly Misconduct Policies at the University of Massachusetts at Amherst as contained in Doc. T91-035 as a preliminary document.

Also recommended by the Budget and Financial Affairs Committee was the University Cash Management Policy. It was moved, seconded and

VOTED: To recommend that the Board approve the Cash Management Policy as contained in Doc. T91-004A.

The Committee then considered the Legal Services Center/Litigation Authority which had been tabled from the February meeting to enable the students would be able to examine the feasibility of retaining outside counsel to represent students at an affordable rate. Trustee McQuilken spoke to this item and indicated it was not economically feasible to retain outside counsel nor would it be an efficient use of resources.

Trustee Walsh made the following motion which had been originally submitted at the February meeting. It was moved, seconded and

MOVED: To recommend that the Board authorize the Legal Services Center at the University of Massachusetts at Amherst to retain outside counsel to represent individual students in litigation and agency proceedings regarding solely landlord/tenant and consumer protection matters, provided, however, that this authorization shall not extend to litigation or agency proceedings against or involving the Commonwealth, its agencies or subdivisions, including municipalities and towns, or any officials, agents, servants or employees thereof, either individually or in their official capacity, insofar as the matter relates to their duties or employment. This authorization shall extend until June 30, 1993, and may be revoked by the Chancellor or his/her designee. After thorough review, the campus may request that the Trustees extend this limited litigation authority.

Further, to authorize the Amherst campus Director of Student Activities in his/her discretion to establish an advisory committee (currently known as the Legal Services Board) to advise the Director on matters relating to the Legal Services Center, as the Director shall determine.

In all other respects, the Board of Trustees reaffirms its vote of August 31, 1987 regarding the Legal Services Center.

Chair Oakes reiterated the sentiments he had previously expressed concerning the public relations position this would place the University in against local media. The motion was defeated on a vote of 3:5.

Chair Oakes then asked for a motion to go into Executive Session to discuss Honorary Degrees. At 5:40 p.m., it was moved, seconded and

VOTED: To go into Executive Session.

Chair Oakes voted for the motion as did Trustees Baker, DiCara, Foley, McBay, O'Leary, Reed and Walsh.

The meeting adjourned at 5:50 p.m.

Cynthia A. Fontaine
Administrative Secretary to the
Board of Trustees

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